

Transcript of the Testimony of  
**OFFICER GEORGE MARIN**

**Date:** January 11, 2024

**Case:** WESTMORELAND VS. DART

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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

EUGENE WESTMORELAND, )  
individually and for a )  
class, )  
Plaintiff, )  
vs. ) No. 1:23-cv-01851  
THOMAS DART, Sheriff of )  
Cook County, and COOK )  
COUNTY, ILLINOIS, )  
Defendants. )

This is the deposition of GEORGE J. MARIN, JR., called by the Plaintiff for examination, taken via Zoom videoconferencing, taken pursuant to the Federal Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken before PEGGY A. ANDERSON, a Certified Shorthand Reporter of the State of Illinois, on January 11, 2024, at 10:00 a.m.

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A P P E A R A N C E S :

THE LAW OFFICES OF:  
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THE LAW OFFICES OF:  
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Defendant, Cook County.

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(WHEREUPON, the witness  
was first duly sworn.)

MR. MORRISSEY: This is the  
deposition of Officer Marin taken pursuant  
to notice and continued to today's date.  
WHEREUPON:

GEORGE J. MARIN, JR.,  
called as a witness herein, having been first  
duly sworn, was examined and testified as  
follows:

DIRECT EXAMINATION  
BY MR. MORRISSEY:

Q Officer, I'm going to ask you a  
series of questions this morning. If you don't  
understand a question, please stop me and I'll  
rephrase it. Is that understood?

A Yes.

Q Will you please state your full name,  
Officer?

A George Javier Marin, Jr.

Q Mr. Marin, where did you go to high  
school?

A I'm sorry?

Q Where did you go to high school?

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A I ended up working warehouse, and  
then I became employed with the Cook County  
Medical Examiner's Office in 2010.

Q Between 2007 and 2010, when you  
worked in the warehouse, was that in the law  
enforcement field?

A No, sir.

Q In 2010, you said you took a position  
with the Cook County Medical Examiner?

A Yes.

Q What position did you take?

A It was intake attendant.

Q How long did you work for the Cook  
County Medical Examiner?

A A little over 11 years.

Q In the 11 years that you worked at  
the Cook County Medical Examiner's Office, did  
your position change at all?

A Yes.

Q What are the various positions you  
held at the Cook County Medical Examiner?

A It was intake attendant and intake  
supervisor and then forensic technician  
supervisor.

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A Kankakee High School.

Q Did you graduate from high school?

A Yes, sir.

Q In what year?

A 2003.

Q After graduating from high school,  
did you continue your education?

A Yes.

Q Where did you attend school?

A I went to Robert Morris College where  
I ended up finishing my bachelor's degree at  
Robert Morris College in Chicago, Illinois.

Q In what year did you receive your  
bachelor's degree?

A I believe it was 2007.

Q Did you major in any subject matter  
at Robert Morris?

A It was business management.

Q During the time between 2003 to 2007  
when you were attending Robert Morris, did you  
work in the field of law enforcement?

A No.

Q After graduating from Robert Morris  
College, what did you do?

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Q Were any of those positions related  
to law enforcement?

A No.

Q What did you do as an intake  
attendant?

A We processed the deceased when they  
entered our facility. We notated the basics as  
far as race, height, weight, what the  
individual was wearing, clothing, and then we  
would enter death certificates that the  
pathologist would complete as far as the ruling  
of, you know, how the individual passed away or  
the manner of death, and then we would be -- we  
were responsible for sending the bodies to the  
funeral homes when the families make  
arrangements.

Q So your job as an intake attendant  
involved making various official records and  
documents in regards to processing a decedent's  
body. Is that fair to say?

A In that office, yes.

Q What did you do as a forensic  
technician?

A My time as the forensic technician

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supervisor, I was responsible for the staff, making sure that we were releasing the decedents, bringing them in and doing the full autopsies while sending out tox samples, if needed, for the decedents.

Q Were you trained in the field of forensics science as a technician?

A On-the-job training.

Q When did you join the -- was the next position that you had with the Cook County Sheriff?

A 2022 is when I joined the Cook County Sheriff's Department.

Q Did you go directly from the Cook County Medical Examiner's Office to the Sheriff's Office?

A No. I had a short period of a break from -- I resigned from the Medical Examiner's Office and then -- in July of 2021 and ended up taking the position March 2022 with the Sheriff's Department as a correctional officer.

Q Why did you resign from the Medical Examiner's Office?

A It was just change of pace and I, at

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Moraine Valley?

A I want to say it was possibly between the months of March through May, June.

Q Was that five days a week?

A Yes.

Q And was that classroom instruction?

A I'm sorry?

Q Did you receive classroom instructions to take a position as a correctional officer?

A Yes. We did have instructors teaching us.

Q Can you briefly describe your courses that you took at Moraine Valley between March of 2022 and June of March [sic] 2022?

A It ranged from defensive tactics, crisis intervention, first aid and a lot of the instructions or instructors were teaching us just our responsibilities in the jail.

Q Was that online or was that actually in classrooms that you attended those courses?

A It was in classroom.

Q Did you have to pass certain exams at the academy to become a correctional officer?

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the time, just wanted something more, I guess, demanding and challenging.

Q Between the time that you left the examiner's office until the time you joined the Cook County Sheriff's Office, were you employed?

A No.

Q In what month did you join the Sheriff's Office?

A It was -- my official start date was March 2022.

Q When you joined the Sheriff's Office, what division or office did you join within the Sheriff's Office?

A It was corrections.

Q Initially, did you attend the academy when you joined the Sheriff's Office?

A Yes.

Q Where was the training academy located?

A The main facility was Moraine Valley Community College.

Q For what period of time in 2022 did you attend Moraine Valley, the academy at

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A Yes.

Q Now, this case involves an alleged violation of Mr. Westmoreland's rights under the Americans with Disabilities Act.

At the academy, can you tell me how many courses that you were provided in regards to the Americans with Disability Act?

A From what I remember, it was one training course.

Q Do you know who the instructor was?

A I do not.

Q Was that a one day -- let me rephrase the question.

At the training academy in regards to issues involving the American for [sic] Disability Act, was that only taught during one session at the academy?

A For that main subject, it was just -- we had -- from what I remember just like an ADA training course just for that subject.

Q Was that --

A But throughout the -- but it ranged like -- it wasn't -- it possibly was from two to six hours. I don't know the amount of hours

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1 that the training instructor was there. I  
2 don't remember. I know it was -- we did have  
3 an ADA course.

4 Q Could it have been limited to a  
5 one-hour period of time?

6 A No.

7 Q Do you know the name of the  
8 instructor?

9 A No.

10 Q Do you have any -- did you receive  
11 any handouts or written materials in regards to  
12 that one day at the academy that you were  
13 taught information in regards to the ADA in  
14 relation to being a correctional officer?

15 A From what I remember, it was  
16 PowerPoint.

17 Q Do you know if it was -- the  
18 instructor was a male or a female?

19 A I do not.

20 Q Would anything refresh your memory?

21 A To be honest, no.

22 Q Do you know a person by the name of  
23 Sabrina Canchola Rivera [sic]?

24 A The name does sound familiar, yes.

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1 being in Division 4?

2 A It was regarding February 18th  
3 regarding Mr. Westmoreland, yes.

4 Q Prior to today's deposition, did you  
5 have an opportunity to talk to your attorney?

6 A We did discuss.

7 Q Did you review any documents prior to  
8 today's deposition in preparation to sit down  
9 and be the deponent in this deposition?

10 A Reviewing documents, no. It was just  
11 letting me know about today.

12 Q Did you review specifically prior to  
13 today the e-mail that you received from  
14 Ms. Canchola about Mr. Westmoreland on  
15 February 18, 2023?

16 A An e-mail was discussed and I did  
17 remember Paul pulling it up for my own memory.

18 Q So you reviewed that e-mail prior to  
19 this dep?

20 A It was the e-mail, yes, from myself  
21 and Sabrina.

22 Q Did you review any PowerPoints that  
23 you were given at the training academy in  
24 preparation for today's deposition?

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1 Q As a correctional officer, have you  
2 received an e-mail from Ms. Rivero?

3 A From Sabrina, I do remember receiving  
4 an e-mail.

5 Q Did you receive an e-mail from her in  
6 regards to Eugene Westmoreland, the plaintiff  
7 in this case?

8 A From what I remember, yes, it was an  
9 e-mail regarding an incident with  
10 Mr. Westmoreland.

11 Q Was that the incident on February 18th,  
12 2022, which was the date Mr. Westmoreland went  
13 over to Division 4 to vote?

14 A The -- I think you have the dates  
15 wrong.

16 Q All right. What date was the e-mail  
17 involving?

18 A I know it was February 18th. You  
19 have the year wrong. I didn't start the  
20 corrections until 2022, so that incident  
21 occurred in 2023, February 18th.

22 Q I'm sorry. Was it February 18th,  
23 2023, the date in which you received an e-mail  
24 where the subject was about Mr. Westmoreland

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1 A We did look at the PowerPoints, but I  
2 am not sure if it's the same information that  
3 we covered when I was in corrections.

4 Q What PowerPoints did you look at  
5 prior to today's deposition?

6 A It was --

7 MR. RADUNSKY: I don't think he's  
8 going to remember -- hold on. Well, go  
9 ahead, George. I mean, I was going to say,  
10 Tom, it's the ones that we just -- it's the  
11 one that we just sent you.

12 You can answer, George.

13 BY THE WITNESS:

14 A Yes. It was --

15 MR. RADUNSKY: I don't think I showed  
16 you the title, you know, but go ahead.

17 BY THE WITNESS:

18 A No, it was just the PowerPoints of, I  
19 guess, showing us and teaching us about how to  
20 handle individuals with disabilities just like  
21 an ADA training course. I know that changes.  
22 It's fluid every year. It changes. I just  
23 can't recall if it's the PowerPoint that I did  
24 review or it was the same one that I was

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1 instructed on back when I was in the academy.

2 MR. MORRISSEY: Troy, what PowerPoint  
3 did you just send me?

4 MR. RADUNSKY: It's one of your  
5 exhibits. I think it's either 46 or 47. I  
6 don't know, Tom. It's one of them. I just  
7 looked at your exhibits though to make sure  
8 that -- not to make sure but to see what  
9 you added, and it was one of those.

10 BY MR. MORRISSEY:

11 Q I'm going to show you Plaintiff's  
12 Exhibit Number 46. Is this the document that  
13 you reviewed prior to the deposition?

14 MR. RADUNSKY: No, no. That's not  
15 the PowerPoint document, Tom. So go back  
16 to 43, 44. Let's go off the record, Peggy,  
17 while Tom looks for this.

18 (WHEREUPON, a discussion  
19 off the record was held.)

20 BY MR. MORRISSEY:

21 Q I'm showing you Plaintiff's Exhibit  
22 Number 44.

23 Is this a document that you reviewed  
24 prior to today's deposition?

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1 to us during the academy.

2 Q Prior to January 10th, 2024, had you  
3 seen this exact document before or was that  
4 provided to you -- let me rephrase the  
5 question.

6 Prior to looking at this document  
7 yesterday in preparation for the deposition,  
8 can you state under oath whether or not you saw  
9 this exact document previous?

10 A I can't say that I have seen this  
11 exact document.

12 Q Can you briefly -- you mentioned that  
13 at the training academy there was a PowerPoint;  
14 is that correct?

15 A Yes. The instructors -- every  
16 instructor will show us a PowerPoint with what  
17 they were teaching us.

18 Q Do you have any specific memory in  
19 regards to the PowerPoint that was shown to you  
20 at the training academy in regards to the ADA?

21 A As far as the coarse material?

22 Q Correct.

23 A It was just, from what I can  
24 remember, the basics of just learning the

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1 A Yes, sir.

2 MR. MORRISSEY: Troy, I'm going to  
3 take a three-minute break just to scan this  
4 and look at it.

5 MR. RADUNSKY: Okay.

6 MR. MORRISSEY: So if we can take a  
7 break for a couple of minutes.

8 MR. RADUNSKY: It's 10:21, George.  
9 We are going to come back at 10:25.

10 THE WITNESS: Okay.

11 MR. RADUNSKY: George, make sure you  
12 turn off your camera and put your thing on  
13 mute, okay? So we can't hear or see  
14 anything. Okay. Great. Thanks.

15 (WHEREUPON, a short  
16 break was had.)

17 BY MR. MORRISSEY:

18 Q Mr. Marin, when did you look at this  
19 document prior to today's deposition?

20 A Yesterday.

21 Q Prior to January 10th, had you seen  
22 this PowerPoint before?

23 A The same exact one, I don't believe  
24 so. I can't remember what document was shown

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1 policy, showing us what the policy is, how to  
2 interact with individuals that do have  
3 disabilities and, you know, just an overall  
4 overview of the Cook County policy of how to  
5 interact with individuals, you know, if they  
6 were to have a disability, from what I  
7 remember.

8 Q Do you know whether or not the  
9 policy -- the PowerPoint that was shown to you  
10 at the academy covered the situation involving  
11 various ramps at the Cook County Jail?

12 A Yeah, I do, you know, recall just --  
13 or do remember that we were being instructed on  
14 how to handle ramps.

15 Q Did the policy specifically outline  
16 to you as a cadet what a ramp is considered to  
17 be in regards to your responsibility as a  
18 correctional officer?

19 MR. RADUNSKY: Just object to the  
20 form of the question. You can answer,  
21 George, if you understand.

22 BY THE WITNESS:

23 A No, I don't understand. I --  
24

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BY MR. MORRISSEY:

Q Sure. You mentioned that the PowerPoint covered ramps to the best of your recollection when you were at the training academy; is that true?

A Yes. It did -- it did -- the instructor did go over various obstacles that we would encounter dealing with individuals that have disabilities.

Q What obstacles other than ramps did you recall the PowerPoint instruction covering at the academy?

MR. RADUNSKY: I'm sorry, Tom.

"Other than ramps" you said?

MR. MORRISSEY: Yes.

MR. RADUNSKY: Okay. Okay. George, go ahead.

BY THE WITNESS:

A Other than ramps, it was obviously individuals in wheelchairs, assisting individuals that need canes, how to deal with individuals that have mental issues or the vision- and hearing-impaired individuals, how to handle those and how to deal with anyone who

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there were different levels, I guess you could say, from using a cane to a walker. Sometimes an individual could -- only needed a cane for long distance walking but they wouldn't need it for short distance or vice versa even with the -- if an individual was using a walker, it would be the same thing as far as long distance or short distance. It's just like a -- you know, just a notification on what the individual can and can't use.

Q Since graduating from the academy up to the present time, have you received any instruction or training in regards to assistance a correctional officer shall provide to an inmate such as a person using a cane, walker or crutches going up or down a ramp at the Cook County Jail?

A It's just from the instructions and just being told or, you know, them explaining to us that if individuals who did have issues like you're stating needed assistance that we would do everything we can to assist and help them.

Q As a correctional officer, has any

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may have a disability. So it stretched a little bit beyond from people in wheelchairs all the way to people who have hearing and vision issues.

Q Did the PowerPoint cover providing accommodations for people who use walkers in relation to ramps?

A I can't recall if it was specifically walkers. I know it was just any assistance needed, the County will provide.

Q In regards to people using canes, did the PowerPoint at the academy discuss what type of assistance would be provided to an individual going up and down ramps who used a cane?

A To my knowledge, no, I'm not sure if it was specifically on how to deal with individuals going up and down ramps if they were using a cane.

Q Did the training academy cover what type of assistance as a correctional officer would be provided to an individual using a walker or crutches going up and down a ramp?

A The academy did just instruct us that

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sergeant, lieutenant, superintendent, executive director ever told you what type of assistance to provide to a person with an alert for a cane, crutch or walker who requests assistance going up or down a ramp, what type of assistance you should provide?

A No. It was never a direct order that a certain individual needs this or that. It was always given through medical.

Q My question is if a person had an alert for a cane, crutch or walker, have you been given any instruction, training or direction from any supervisory person what type of assistance you can provide to those people with alerts to go up and down ramps?

A No. It was never just a direct this is how you need to treat certain individuals, this is how you need to handle certain situations. No. If someone needed a cane or wheelchair assistance, just provide it to them, and then you make sure you take the -- you know, the best route for them.

Q But in regards to a ramp -- can you define what a ramp is? Let me rephrase the

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question.

At the training academy, were you ever instructed in regards to what are -- where the ramps are at the Cook County Jail?

**A No.**

**Q** As a correctional officer having worked in the jail since probably March -- since July of 2022, has anybody, any ADA coordinator ever pointed out to you what are considered ramps at the Cook County Jail?

**A No. They never came and just -- they never gave us a layout of where the ramps are.**

**Q** Do you know if there's in the PowerPoint that you received at the Cook County Jail in regards to providing assistance to wheelchair detainees, did the PowerPoint cover providing assistance in the tunnels for wheelchair detainees who were being transported to and from a housing tier?

**MR. RADUNSKY:** Just for a point of clarification, I know you said that the PowerPoint was at the jail. I thought he said it was at the academy. If he said that there was one too at the jail and I

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provide the assistance. It never clarified through tunnels or through like specific areas of the compound.

**Q** To clarify, the PowerPoint that you were presented at the academy, did it state that when wheelchair-assisted detainees are being moved or transported through the tunnels at the jail or up ramps at the jail, that they are to be provided assistance?

**A** From what I remember, it was if the assistance is needed and asked, then, yes, we are there to provide the assistance and help them.

**Q** So at the -- in the PowerPoint at the training academy, your recollection was that if a wheelchair-assisted detainee requests assistance being pushed either in the tunnels or up a ramp at the Cook County Jail, then the officer was required to assist the person?

**A** Okay. Like, from the PowerPoint in the academy as far as verbatim, I'm not sure if it said it specifically, but we were told that if individuals who needed assistance are being pushed through -- anywhere through the

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missed it --

**MR. MORRISSEY:** I'm sorry.

**MR. RADUNSKY:** It doesn't matter, Tom. I mean, either way is fine.

Go ahead. George, you can answer the question.

**MR. MORRISSEY:** I'll rephrase the question.

**MR. RADUNSKY:** Okay. It's fine. I mean, that was the only little caveat. The rest of it was fine, I think.

**BY MR. MORRISSEY:**

**Q** At the training academy, in regards to that PowerPoint that you were given, did the PowerPoint cover providing assistance to wheelchair detainees being moved from their housing division to either court or to some other location in the jail when they're being moved in the tunnels?

**A** It didn't specifically say the tunnels from what I remember. It was just a brief, like I said, from what I remember just an overview of if individuals who are in wheelchairs needed assistance, we are to

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compound, we are there to help them.

**Q** My question is more narrow. The PowerPoint, the training you received at the academy, was there a requirement at all times for a correctional officer to push a wheelchair person being moved through the tunnels at the jail?

**A** I'm not sure if it's, like I said, verbatim, if it says that we need to provide -- like ask them if they need assistance. It was just, you know, if they do ask, that we need to help them, that we help them. It's not like it was a clear and cut this is what you needed to do at all times. It was, you know, individuals who are in need, you definitely help them.

**Q** So to be clear, the PowerPoint, the presentation that you were given at the academy in regards to a wheelchair person being moved through the tunnels at the jail, the requirement was if the -- if the detainee requested to be assisted or pushed, then the officer should provide assistance. Is that fair to say?

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**A** We were provided that instruction, yes.

**Q** And if the detainee being moved through the tunnels at the jail didn't request assistance, then the officer was not required to push the person through the tunnels. Is that fair?

**A** Yes.

**Q** In regards to your training at the academy, that one day you had the PowerPoint, was it your understanding also that in regards to ramps at the Cook County Jail that if the detainee in a wheelchair requested assistance going up and down the ramp, then the officer was required to assist the detainee by pushing him or her up or down a ramp?

MR. RADUNSKY: Can you read that back again, Peggy?

(WHEREUPON, the record was read as requested.)

MR. RADUNSKY: Okay. Thanks. It's been asked and answered.

George, you can answer it again. Go ahead.

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**A** Yes.

**Q** And in regards to going up or down a ramp at the Cook County Jail, is it your understanding since leaving the academy up to the present that it's the responsibility of the wheelchair person to request an officer for assistance going up or down the ramp in order for the officer to be required to provide assistance?

**A** Yes.

**Q** As a correctional officer, after leaving the academy in, was it, June or July of 2022, were you a probationary officer?

**A** I'm sorry. What was the question?

MR. RADUNSKY: Yeah, yeah, I think I heard. I know what he's saying, George. Re-ask it, Tom.

MR. MORRISSEY: Yeah.

BY MR. MORRISSEY:

**Q** After leaving the training academy, was there a period that you were a probationary officer?

**A** Yes.

**Q** And what period did that cover?

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BY THE WITNESS:

**A** Yes. As I said previously, if an individual did ask for assistance, regardless if it's up or down a ramp, we are to help them, yes.

BY MR. MORRISSEY:

**Q** And if the detainee in a wheelchair doesn't orally request an officer to be pushed up or down a ramp, then is it your understanding the officer is not required to push the person up or down the ramp?

MR. RADUNSKY: Asked and answered again.

You can answer, George.

BY THE WITNESS:

**A** Correct.

BY MR. MORRISSEY:

**Q** Now, after leaving the academy up until today, would your answers be the same in regards to the requirement for an officer to push or assist a wheelchair-bound person in a tunnel that the inmate first has to request from the officer assistance to be pushed in a tunnel?

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**A** It was -- I think it was a total of -- I don't know if it's 16 to 18 months from the time the academy started. I think it's -- yeah, I can't recall if it's 16 to 18 months the probation period is.

**Q** What was your first assignment at the Cook County Jail?

**A** During probation or after probation?

**Q** During probation.

**A** Okay. During the FTO short probation program, it was various divisions overseeing tiers.

**Q** What divisions did you work in and when?

**A** It was the Division 11, Division 6 and then RTO.

**Q** What period of time did you work in Division 11?

**A** Division 11 was maybe three to four weeks.

**Q** That would be in the summer of 2022?

**A** Yes.

**Q** Did you function as a tier officer in Division 11?

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1           **A**     **Yes.**  
2           **Q**     Any other assignments other than  
3 being a tier officer?  
4           **A**     **In Division 11, no.**  
5           **Q**     Did you have a field officer in  
6 Division 11?  
7           **A**     **Yes.**  
8           **Q**     Who was your field officer?  
9           **A**     **He was Officer Dworkin.**  
10          **Q**     Did he remain your field officer in  
11 Division 6 in the RTU?  
12          **A**     **Division 6, no.**  
13          **Q**     Who was your field officer in  
14 Division 6?  
15          **A**     **It was Officer Adeshina (phonetic).**  
16          **Q**     For what period of time were you in  
17 Division 6?  
18          **A**     **I'm sure it was just maybe a week.**  
19          **Q**     And what period -- that would have  
20 been in the summer also of 2022?  
21          **A**     **Yes.**  
22          **Q**     And were you a tier officer in that  
23 Division 6?  
24          **A**     **Yes.**

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1           **Q**     In the RTU, when did you start in the  
2 RTU?  
3           **A**     **Possibly late August, early**  
4 **September.**  
5           **Q**     Of 2022?  
6           **A**     **Yes.**  
7           **Q**     And how long did you work in the RTU?  
8           **A**     **Until I left this -- to September of**  
9 **2023.**  
10          **Q**     In the RTU, what was your position?  
11          **A**     **It was still correction officer.**  
12          **Q**     What were your assignments in the  
13 RTU?  
14          **A**     **They ranged from tier officer to**  
15 **movement officer, distributing lunch.**  
16          **Q**     Who was your field officer in the  
17 RTU?  
18          **A**     **I think it was -- it was still**  
19 **Dworkin, but he was just more -- at that time**  
20 **before we got released just -- we were**  
21 **essentially on our own. He was just like -- it**  
22 **was shadow based.**  
23          **Q**     Was Officer Dworkin assigned to the  
24 RTU?

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1           **A**     **He is assigned throughout the**  
2 **compound.**  
3           **Q**     Did he work with you on a day-to-day  
4 basis in the RTU?  
5           **A**     **We had daily interactions, yes.**  
6           **Q**     Since leaving the academy in June of  
7 2022 up to today, have you had any follow-up  
8 training in regards to the ADA?  
9           **A**     **Throughout the -- your time with the**  
10 **Sheriff's Department, you do get -- they're**  
11 **called like LMS trainings.**  
12          **Q**     What is that training called?  
13          **A**     **The -- it's just -- LMS is just like**  
14 **a --**  
15          **Q**     LMS?  
16          **A**     **Yes.**  
17          **Q**     What does LMS stand for?  
18          **A**     **Actually, I'm not -- I don't know the**  
19 **actual terms. I know it's just our -- it's**  
20 **just like our yearly refresher program to go**  
21 **over certain policies.**  
22          **Q**     Since leaving the academy at Moraine  
23 Valley in July of 2022 to the present, have you  
24 gone back to the academy for any type of

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1 training or refreshment courses?  
2           **A**     **Not for corrections.**  
3           **Q**     Have you gone back to Moraine Valley  
4 for any other position at the Sheriff's Office?  
5           **A**     **Not to Moraine Valley, no.**  
6           **Q**     Have you gone to any other  
7 educational or training facility since leaving  
8 Moraine Valley in July of 2022?  
9           **A**     **I just recently finished the academy**  
10 **for Cook County Sheriff's Police.**  
11          **Q**     So you're going to -- you're being  
12 trained to be a Sheriff's Police Officer?  
13          **A**     **Correct. I finished the academy.**  
14          **Q**     For what period of time did you go to  
15 the police academy?  
16          **A**     **From the time I left RTU corrections,**  
17 **which it's late August, early September to**  
18 **December 14th was our graduation date.**  
19          **Q**     December of last year?  
20          **A**     **Yes.**  
21          **Q**     Okay. So you've left -- in September  
22 of 2023, you left the correctional department  
23 of the Sheriff. Is that fair to say?  
24          **A**     **I don't know the exact dates, but**

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yes, it was -- I left corrections, like I said, August, September to begin my new career as a Cook County Sheriff police officer.

Q Between the time of leaving the training academy as a correctional officer in June of 2022 up to the present, up to the time you left the correctional staff in September of 2023, have you received any formal training in regards to the ADA?

A No.

Q Between June of 2022 and September of 2023, did you -- were you provided any PowerPoints in regards to the ADA?

A No.

Q Between June of 2022 and September of 2023, did you receive any training from the ADA director, Sabrina Canchola Rivero?

A No.

Q Between June of 2022 and September of 2023, did you receive any online training in regards to the ADA?

A I would have to go through my LMS. I can't recall if it was specifically for the ADA.

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RTU, right?

A Yes, sir.

Q Did you receive any -- who was your direct supervisor in the RTU?

A It varies throughout. Daily it varies. There's just not one supervisor.

Q Would the sergeant be your direct report?

A Yes.

Q When you came in at roll call -- there would be a roll call when you started before 3:00 o'clock each afternoon?

A Yes.

Q And at the -- would you have a particular rotation where you would be assigned to a particular tier or function as a correctional officer in the RTU?

A There were certain assignments where we were put at certain tiers, you know, for a couple of months; and then it will rotate yearly.

Q So was there a periodic -- was there a rotation in regards to your assignments when you were in the RTU for a set period of time?

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Q Did you receive any training from June -- to the best of your recollection from June of 2022 to September of '23 in regards to moving wheelchair-assisted detainees up or down a ramp at the Cook County Jail?

A To the best of my knowledge, I don't believe so.

Q You mentioned that you were a movement officer in the RTU, correct?

A At times, yes.

Q Which shift did you work when you were assigned to the RTU?

A My primary shift was 3:00 p.m. to 11:00 p.m.

Q Do you know an officer named Alex Rodriguez that worked in the RTU?

A I'm not sure if it was -- the first name, but I do recall knowing an Officer Rodriguez in RTU. There were quite a few.

Q In the RTU, you started there in what month in 2022?

A It possibly was late August.

Q And from August of 2022 until September of 2023, you were assigned to the

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A Yes. My assignments did vary.

Q For what period of time did you work as a tier officer in the RTU?

A It was from the first time I started to the end. It -- I was always a tier officer just given certain assignments.

Q What tiers were you assigned -- when -- was there a particular tier or tiers that you were assigned to in the RTU?

A All of them with the exception of the female division.

Q Was there a period of time when you worked on the third floor of the RTU?

A Yes.

Q Does the third floor house people that have medical alerts for psych problems?

A A majority of the building was medical and psych.

Q As a correctional officer, did you receive specific training to work as a psych officer?

A We were given, like I said, crisis intervention and training.

Q Was that the general training you

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received at the academy?

**A** It was a general focus for the topic, yes; but throughout the academy, the instructors will go through scenarios and instruct us on how to deal with all the divisions of certain mental states.

**Q** Are there correctional officers that are specifically trained to work with patients that are -- who have mental illness?

**A** Not in -- no. There were not specific officers. We were all capable of working certain tiers regardless of our extensive or nonextensive knowledge.

**Q** Are there certain tiers that men who have psych -- have been diagnosed with psych issues are -- let me rephrase the question.

In the RTU on the third floor, are there dorms?

**A** It's a dorm room setting.

**Q** In addition, there's individual cells on the third floor, correct?

**A** There are two tiers that do have cells on the third floor.

**Q** How many tiers on the third floor

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BY MR. MORRISSEY:

**Q** You mentioned that at times you would move officers -- strike that.

At times, you would be considered a movement officer?

**A** Yes.

**Q** Did you receive any special training as an RTU officer to be a movement officer?

**A** No, no specific training. Everything was covered during our FTO program.

**Q** Can you tell me what you said? S -- I didn't catch the last thing you said.

**A** It's FTO program, the field training officer.

**Q** And you said your field training officer was Officer Dworkin?

**A** Yes.

**Q** Did Officer Dworkin -- can you explain to me what training you received from Officer Dworkin to work as a movement officer?

**A** It wasn't a movement officer specifically. It was just overall duties of a correctional officer, and it was just a brief overview of responsibilities that we may have

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have dorms?

MR. RADUNSKY: Why is this relevant, Tom? I mean, you can answer, but I don't understand how any of this is relevant at all to what the issues are in the case, but you can answer.

BY THE WITNESS:

**A** On the third floor, there were six tiers that were all bunk dorm room settings.

BY MR. MORRISSEY:

**Q** And you mentioned that there's two tiers which had cells, correct?

**A** Correct.

**Q** On the third floor, are there tiers that -- where there's segregation?

**A** Those would be the cell settings.

**Q** Are there cells where people with -- diagnosed with mental illness are housed?

MR. RADUNSKY: Objection, relevance.

You can answer.

BY THE WITNESS:

**A** Possibly. I didn't know every individual's medical history.

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and what needs to happen if we are assigned certain duties.

**Q** Did Officer Dworkin provide you with any instruction or training in regards to moving wheelchair-assisted detainees up and down ramps at the Cook County Jail?

**A** No.

**Q** Did he provide you any instruction in regards to when or if you were required to push wheelchair-assisted detainees up or down ramps?

**A** No. It's just the -- like I said before, if an individual requested assistance, you know, we do what we need -- we do what we can to help them.

**Q** Are you familiar with the handbook that's given to detainees upon entering the Cook County Jail?

MR. RADUNSKY: Are you talking about the Inmate Handbook?

MR. MORRISSEY: That's correct.

MR. RADUNSKY: Okay. Go ahead, George.

BY THE WITNESS:

**A** The Inmate Handbook, yes.

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BY MR. MORRISSEY:

Q Do you know whether or not the Inmate Handbook covers the topic that wheelchair-assisted detainees are required to assist -- let me strike that.

Do you know whether or not the Inmate Handbook informs detainees who are wheelchair assisted that they must request assistance from correctional officers going up or down ramps?

A I can't recall what the Inmate Handbook states.

Q What is the job of a movement officer?

A For lack of a better word, it's just an additional officer that provides assistance to the overall building as far as if people need breaks, provide breaks; or if individuals in custody need to be escorted to certain areas of the building or the compound, you just -- you do what you can to assist with just any movement that occurs.

Q Do movement officers -- let me rephrase the question.

At roll call when you worked in the

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certain period of time, like for a month or two months?

A It varied daily.

Q So is it fair to say that you were never assigned for a one-month period as the movement officer on the 3:00 to 11:00 shift?

A Specifically as a movement officer, no.

Q But on a day-to-day basis, you would function at times as a movement officer?

A Yes, if needed.

Q Roughly during that one-year period in the RTU, how frequently did you work as a movement officer?

A I can't -- I don't know the exact numbers but it's often.

Q More than 50 percent of your time as an RTU officer, you were a movement officer?

A No --

MR. RADUNSKY: Objection. Go ahead you can answer.

BY THE WITNESS:

A No, I can't -- like I said, I don't have the numbers, so I wouldn't -- all I know

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RTU, were you at times designated as the movement officer?

A I did have assignments as a movement officer, yes.

Q How does a movement officer differ from being a security officer?

A I'm not sure of the question. As a correction officer, we're always -- you know, we provide security. So it's not like, you know, you're given a certain task and you don't do the job and you just don't provide certain security. That's not how it works. At all times, we are to provide and make sure that the area is safe and secure. We are to provide that assistance, so...

Q On the roster, to your knowledge, is there a designation for the movement officer on the shift?

A There is a certain assignment where, for a certain period of months, you are assigned as a movement officer, yes.

Q So in the RTU, when you were assigned there for roughly a year, were there times when you were designated the movement officer for a

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is primarily a tier officer and then I was given certain assignments as a movement officer doing lunch. I was never a movement officer for 50 percent of the time.

BY MR. MORRISSEY:

Q What percentage of the time as an RTU officer did you work as a movement officer?

MR. RADUNSKY: Objection. He just -- asked and answered, Tom. He said he did it often. I mean, how many different ways are you going to ask him the same question? He said he doesn't know the percentage of time. He said he did it often, and all you do is just keep tweaking the question by asking the same question. So I don't think it's -- it's asked and answered.

MR. MORRISSEY: Troy, will you --

MR. RADUNSKY: You can answer, George.

MR. MORRISSEY: I'm sorry. Troy, will you just stipulate that he was often the movement officer?

MR. RADUNSKY: Yeah, of course. That's what he said. Of course.

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1 MR. MORRISSEY: Okay.  
2 BY MR. MORRISSEY:  
3 Q As a movement officer, at times,  
4 would you move detainees from the RTU to the  
5 bridge going to the criminal court building?  
6 MR. RADUNSKY: George, do you know  
7 what area he is talking about?  
8 THE WITNESS: Yes.  
9 MR. RADUNSKY: Okay. You can answer.  
10 BY THE WITNESS:  
11 A Yes, I have escorted individuals in  
12 custody to the bridge.  
13 BY MR. MORRISSEY:  
14 Q At times as a movement officer, would  
15 you move detainees from the RTU to the  
16 infirmary at the Cook County Jail to Cermak?  
17 A Yes.  
18 Q Did you frequently move detainees  
19 from the RTU to the Cermak infirmary when you  
20 were given the job of a movement officer?  
21 A Yes.  
22 Q When you moved detainees from the RTU  
23 to attend or go to the Cermak building for  
24 medical appointments, how would you receive

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1 BY THE WITNESS:  
2 A Yes, via the -- our radio.  
3 BY MR. MORRISSEY:  
4 Q As a movement officer, when you moved  
5 a detainee from, let's say, a dorm on the third  
6 floor or a cell on the third floor to the  
7 Cermak infirmary, did you keep any log or  
8 record? Was there any record that you would  
9 fill out that you moved Prisoner "X" from a  
10 dorm on the third floor to Cermak?  
11 A Me personally, no. It would be the  
12 tier officer's responsibility to notate that  
13 somebody is going from their tier to Cermak.  
14 As a movement officer, we just move the  
15 individuals.  
16 Q So the documentation would be in the  
17 living -- would be in the tier officer's living  
18 unit log --  
19 A Yes.  
20 Q -- if a person was moved from his or  
21 her tier to Cermak?  
22 A Correct.  
23 Q When you -- did you at times have to  
24 pick up detainees from Cermak and bring them

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1 notification to move a prisoner?  
2 A We would be told certain individuals  
3 needed to go to Cermak for appointments or  
4 whatever the case is. It was -- we were just  
5 like told who needs to go and when do they need  
6 to go; or if somebody had an issue, the tier  
7 officer would request the movement officer to  
8 take the certain individual to Cermak once  
9 medical clears them for them to go.  
10 Q Was there a particular post or  
11 officer that would inform you as a movement  
12 officer that a certain detainee should be moved  
13 from the RTU to Cermak?  
14 A We would, at times, have a Cermak  
15 officer that would tell us certain individuals  
16 needed to come down for certain things or, like  
17 I said before, if a medical issue happens, we  
18 would be told by the tier officer that somebody  
19 needs to be escorted to Cermak.  
20 Q How would you be told, through the  
21 radio?  
22 A Yes.  
23 MR. RADUNSKY: Objection, foundation.  
24 You could answer. Go ahead.

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1 back to the RTU building?  
2 A Yes.  
3 Q How would you receive notification to  
4 pick up a prisoner?  
5 A The Cermak officer would radio, any  
6 free movement officer, we have one individual  
7 ready to go back and then we would get the job  
8 done.  
9 Q Are there certain floors in the RTU  
10 where wheelchair-assisted detainees are housed?  
11 MR. RADUNSKY: Where they are what,  
12 Tom?  
13 MR. MORRISSEY: Wheelchair-assisted  
14 detainees are housed.  
15 MR. RADUNSKY: Oh, housed.  
16 Go ahead, George. You can answer.  
17 BY THE WITNESS:  
18 A From what I know, all floors are  
19 capable of housing individuals in wheelchairs.  
20 BY MR. MORRISSEY:  
21 Q Are there certain floors in the RTU  
22 where prisoners with -- who have alerts for  
23 canes, crutches and walkers are housed?  
24 A It's still throughout the entire --

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all floors. There is not a specific floor or tier that houses certain individuals. It's throughout the entire building.

Q Now, at times, did you -- were you asked to work overtime in the RTU?

A Yes.

Q And as an RTU officer, did you ever work the 7:00 to 3:00 shift?

A Yes.

Q And when you worked -- how frequently during that one year in the RTU did you work the 7:00 to 3:00 shift?

A It was at times. I don't know how many times I worked overtime. It was -- I would at times work 7:00 to 3:00.

Q And when you worked 7:00 to 3:00 in the RTU, at times would you work as a movement officer?

A Yes.

Q And on February 18th, 2023 were you working the 7:00 to 3:00 shift when you moved Mr. Westmoreland?

A Yes.

Q On the 7:00 to 3:00 shift when you

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Exhibit Number 17?

A The one you've just shown, yes.

Q Does that fairly and accurately depict one of the ramps leading into the RTU building?

A Yes.

Q And there's two ramps that lead into the RTU building, correct?

MR. RADUNSKY: My only objection is, I mean, when you use the word "ramp," he's not testifying as an ADA expert, so if you're using it in that term, he's not an expert in that, like he's already told you.

So subject to that, you can answer.

BY MR. MORRISSEY:

Q Do you understand my question, Officer Marin?

A I was just going to say that there are two areas where the floor is at an incline, yes.

Q And can you identify which of the two -- for purposes of this dep, do you mind if I use the word ramp? I understand you are not

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worked as a movement officer, would you receive communications also from either a tier officer or a Cermak officer to move the detainee from the RTU to Cermak?

A For that specific date, February 18th?

Q No, not just that date. I'm talking about when you worked the 7:00 to 3:00 shift, would you receive communications as a movement officer to move detainees either to or from Cermak?

A Yes.

MR. MORRISSEY: Give me one moment, please. I'm going to pull up an exhibit. BY MR. MORRISSEY:

Q Officer, I'm going to show you Exhibit Number 17. Do you see that on the screen?

A Yes.

Q And looking at that picture -- I'm going to play a video for a moment.

(Video played.)

BY MR. MORRISSEY:

Have you had an opportunity to look at the video which is marked as Plaintiff's

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an expert in the -- you're not an architect; but if we use the word ramp, would you understand what I mean?

MR. RADUNSKY: I mean, that's fine.

We can use that word, but we're not using it in the context of ADA or ADA compliance. I mean, you're using it in the general sense knowing that that is the intent, sure, we'll agree to that.

George, that's fine.

BY MR. MORRISSEY:

Q So the question is, do you know -- can you identify which ramp this is that leads from the -- that leads into the RTU building?

A I want to say it's the ramp going to and from Cermak.

MR. RADUNSKY: All right. If you don't know, George, you don't have to guess. He doesn't want you to guess. If you know, you know. All right?

BY MR. MORRISSEY:

Q For purposes of this deposition, we'll say it's the ramp going to and from -- going from Cermak into the RTU building; is

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1 that understood?

2 **A Yes.**

3 Q What, to your knowledge, is the  
4 difference between a ramp -- well, let me  
5 rephrase the question.

6 As a correction -- as a former --  
7 you're not a correctional officer anymore; is  
8 that fair to say?

9 **A Correct, sir.**

10 Q What is your official title right  
11 now?

12 **A It's Cook County Sheriff Police**  
13 **Officer.**

14 Q Congratulations.

15 **A Thank you.**

16 Q As a former correctional officer, can  
17 you tell me your general understanding of the  
18 difference between a ramp and a corridor?

19 **A Okay. Just from my understanding, a**  
20 **corridor is -- like I would describe it as a**  
21 **hallway. And a ramp is a platform with an**  
22 **angle.**

23 Q Looking at Exhibit 17, is it fair to  
24 say that's the top of the ramp leading from

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1 over to the Cermak building?

2 **A I wouldn't know the situation unless**  
3 **I came about it, like, at that moment.**

4 Q Based upon your recollection for over  
5 a year working as a movement officer, at times,  
6 did you move more than one wheelchair-assisted  
7 person either to Cermak or from Cermak back to  
8 the RTU?

9 MR. RADUNSKY: You're talking about  
10 at the -- I mean, can you just break that  
11 down a little more? When you say moving  
12 more than one at a time, I mean, I know you  
13 are not talking about hours apart. I think  
14 you are talking around generally the same  
15 time, but I just want to be clear.

16 MR. MORRISSEY: Sure.

17 BY MR. MORRISSEY:

18 Q Just to be clear, at times as a  
19 movement officer in the RTU, were you asked to  
20 move more than one wheelchair-assisted detainee  
21 at the same time over to Cermak for an  
22 appointment?

23 **A I can't -- at times I would have**  
24 **moved, if needed, an individual in a wheelchair**

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1 Cermak toward the RTU building?

2 **A Yes.**

3 Q Based upon your recollection in this  
4 photograph, are there any signs posted at the  
5 top of this ramp to advise detainees that they  
6 may request assistance going up or down this  
7 Cermak ramp?

8 **A No.**

9 Q At the bottom of the Cermak -- at the  
10 bottom of this ramp leading into the RTU, to  
11 your knowledge and recollection, are there any  
12 signs posted that alert a detainee that they  
13 may be pushed up or down the ramp and they have  
14 to request assistance?

15 **A No.**

16 Q Now, when we looked at the video,  
17 which is Exhibit Number 17, there were two  
18 wheelchair-assisted detainees, correct?

19 **A Yes.**

20 Q They were both going down the ramp?

21 **A Correct.**

22 Q Are there times as a movement officer  
23 working in the RTU that you would be asked to  
24 move more than one detainee in a wheelchair

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1 **to Cermak, yes.**

2 Q My question is, at times, would you  
3 move more than one wheelchair-assisted detainee  
4 over to Cermak at the same time?

5 **A Directly to Cermak, maybe just once;**  
6 **but I have escorted individuals that are in**  
7 **wheelchairs to Cermak.**

8 Q Well, not just Cermak. At times,  
9 would you move more than one wheelchair-assisted  
10 person at the same time to another location in  
11 the jail?

12 **A I have, yes.**

13 Q And during those period of times when  
14 you were required to move more than one  
15 wheelchair-assisted person to another location  
16 at the jail, were you required to go up either  
17 this ramp that's in Exhibit 17 or another ramp  
18 to get to that location at the jail?

19 **A If I was taking those two routes,**  
20 **yes.**

21 Q As a correctional officer, if you  
22 were moving two wheelchair persons at the same  
23 time and -- could you push both of them at the  
24 same time up the ramp?

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**A No, I wouldn't do that.**

**Q** What would you do if you were moving -- let me go back a step.

If you were moving two wheelchair detainees from the RTU at the same time to another location at the jail, is it my understanding from your prior testimony that unless one or both of the detainees asked to be pushed, that the detainee would go up -- the detainees would push themselves up the ramp by themselves?

**A** If they didn't need assistance, I wouldn't push them. And if somebody did request assistance, I would push them. The individuals in custody know where they're going, so they know their, more or less, capabilities. So if they were to say, hey, can you help me? I'm going to need help going up the ramp or both of them at the time when I was picking them up said we're both going to need help going up the ramp, I would just take one at a time.

**Q** Is it fair to say that if you were pushing -- strike that.

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BY THE WITNESS:

**A To my knowledge, no.**

BY MR. MORRISSEY:

**Q** Why not?

**A** I'm not sure how, you know, that person would be disciplined. Like -- so as far as what the Inmate Handbook states, like I said, I don't know it verbatim and I wasn't aware that -- you know, like you said right now, it states that if they aren't pushed up a ramp or if they're not assisted, they could be disciplined. I was not aware of that.

**Q** You mentioned that at times you escorted wheelchair-assisted detainees -- let me ask a preliminary question. As a movement officer moving -- let me ask a foundation question.

As a movement officer in the RTU, were you ever requested to move a detainee who was given an alert for a cane or a crutch or a walker from the RTU to the Cermak infirmary?

**A** I have escorted people who needed a cane or a walker to Cermak, yes.

**Q** And was that common as a movement

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Is it fair to say that if you were moving -- let me rephrase the question.

As a movement officer, if you were requested to move two wheelchair-assisted detainees to Cermak and there was a ramp such as depicted in Exhibit Number 17, unless the wheelchair-assisted person requested assistance to be pushed up the ramp, you would allow them to go up the ramp on their own. Is that fair to say?

**A** If they didn't ask for any assistance, yes, they would go up the ramp on their own, on their own willing.

**Q** To your knowledge, in the Inmate Handbook, is there any information given to wheelchair-assisted detainees that they may be disciplined if they go up a ramp or down a ramp unassisted by a correctional officer?

MR. RADUNSKY: Tom, you're asking if the detainee would be disciplined for that?

MR. MORRISSEY: That's correct.

MR. RADUNSKY: Okay. Go ahead, George. You can answer.

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officer in the RTU to move detainees who had alerts for cane, crutches and walkers to the Cermak building?

**A** I'm sorry. What was the question?

**Q** Was it a common occurrence for you as a movement officer to move detainees from the RTU who were using canes or crutches or walkers to the Cermak building?

**A** I wouldn't say it's common, but it does happen that people are moved that are on crutches or in wheel -- canes, you know, from Cermak to RTU. I wouldn't say it's common. It is a medical unit but, you know, everyone has their own issue like as far as disability-wise, so.

**Q** On those days that you worked as a movement officer in the RTU, how often did you move a detainee who had a cane, crutch or walker over to the Cermak building?

**A** At the time it needed to happen.

**Q** And that might happen more than once a week that you would move a detainee from the RTU to the Cermak building who had an alert for a cane, crutch or walker?

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A Throughout a week, if I was given a certain assignment, yes. It could be zero times escorting people from Cermak to RTU that are in canes or wheelchairs or it could be a couple of times that I'm escorting individuals with the fact that they have a cane or a crutch.

Q In your experience for over a year as a movement officer in the RTU, when you moved a detainee who had a cane, crutch or walker from the RTU to the Cermak building, do you ever recall providing a wheelchair for any of those individuals going up or down either the ramp that's depicted in Exhibit 17 or the ramp that leads to the Cermak building?

A They would already have those devices.

Q Perhaps you don't understand my question. If a person had a cane, crutch or walker and they were -- you were escorting them to the Cermak building from the RTU, do you ever recall providing a person with a cane, walker or crutch a wheelchair to go up or down either the ramp that's depicted in 17 which

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wheelchair. There's no dispute that he was in a wheelchair. I really think that this is all irrelevant. I don't understand why you're asking these questions.

We stipulate that your client was in a wheelchair that day. We stipulated that George is not an expert in ADA compliance. You know, he has a limited role -- or not a limited role but he was present on February 18th and you're just asking him all of these other ADA questions, you know -- or I'm sorry -- ramp questions or wheelchair questions, and I don't understand the relevance.

So can you help me understand the relevance here because I don't want to cut off your questioning and take this to the judge, but I don't understand where you're going.

I mean, if you want to get to a point, then make it, you know. And I don't think you're even listening to me now. I can't hear anything you're saying.

MR. MORRISSEY: Troy, the relevance

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leads from Cermak to the RTU or the ramp that leads to the Cermak building -- or the other ramp that leads to the Cermak building?

MR. RADUNSKY: Just objecting to relevance. I just don't understand what this whole line of questioning has anything to do with his involvement on the date of February 18th.

But you can answer, George.

BY THE WITNESS:

A The individuals that had canes or crutches, they never requested a wheelchair to go up that ramp. They were always more than capable of doing so. My experience is they never personally asked me for a wheelchair.

BY MR. MORRISSEY:

Q Was there any wheelchair that was available either at the top or the bottom of the ramp which we have identified as Exhibit 17 for you to offer to a person with a cane, crutch or walker to go up --

MR. RADUNSKY: Hold on. Just objection. Tom, hold on, hold on. Tom, I don't understand. Your client was in a

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is that Mr. Westmoreland used a cane when he was initially in the RTU going up and down to the ramp.

MR. RADUNSKY: But, Tom, that has nothing to do with George or George's involvement. George's involvement is on February 18th, 2023 in Division 4 and that's it.

I mean, so why are you asking him about all of these other questions when they have nothing to do with his involvement? He wasn't involved in taking your client, you know, on other days or other times. You have never established that. You never said that he did. And now you're like trying to just go off into -- down a rabbit hole, and I'm just asking if we could get to the issues in the case.

If you want to make -- or ask him straight direct questions that cut to the chase, great. But what you're doing here is, like, really wasting his time. I think that it's harassment of the witness, you know.

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1 So I'm just asking you can we  
2 just move on and talk about the issues that  
3 he's here to talk about because he's told  
4 you what the scope of his testimony and his  
5 knowledge is on ramps, on ADA and --

6 MR. MORRISSEY: Troy, I don't want to  
7 belabor the point but --

8 MR. RADUNSKY: But you are.

9 MR. MORRISSEY: But he --

10 MR. RADUNSKY: But you just asked  
11 him --

12 THE REPORTER: I can only get one  
13 person at a time.

14 MR. RADUNSKY: You just asked him,  
15 Tom, and you have been asking about all of  
16 these scenarios where they involve canes or  
17 whatever. And on the morning of this  
18 incident on February 18th, he was in a  
19 wheelchair.

20 So now you're asking questions  
21 about do you have wheelchairs available at  
22 different points on the ramp. How is any  
23 of that relevant to the incident on  
24 February 18th?

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1 those. He told you what his knowledge was  
2 and his experience was and the scenarios  
3 that he's been involved in. And now you're  
4 parsing his testimony into minutia and  
5 asking about just, you know, details that  
6 are not relevant and I don't want to sit  
7 here and object to all of these questions,  
8 you know, but I think it's really unfair to  
9 him, Tom; and I think if we took this to  
10 Judge Gilbert and we said: Judge, this is  
11 his involvement. This is what's been  
12 disclosed in a Rule 26 disclosure, all  
13 right? This is what we know about this man  
14 and look at what the first two hours of  
15 questioning was about, you know? I mean, I  
16 don't understand why we're not talking  
17 about the day of the incident. He's  
18 already given you enough foundation about  
19 what he knows, I think, about his ADA  
20 involvement, ramps and everything else.

21 So I'll let you keep going on,  
22 Tom, but I just think it's really -- it's  
23 harassing the witness at this point.

24 MR. MORRISSEY: Peggy, can you read

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1 You have already been through  
2 this stuff with Eric Davis and Sabrina, the  
3 people that actually have knowledge of this  
4 stuff, and you're just trying to take  
5 advantage of a vulnerable witness who  
6 doesn't know about ADA compliance.

7 So I thought we were just going  
8 to really spend the time talking about the  
9 issues on the 18th, but we're an hour and a  
10 half, almost two hours into this deposition  
11 and you haven't even hardly discussed that,  
12 you know.

13 He's told you he's a movent  
14 officer that day. He's told you, I mean,  
15 his experience in the ramps and corridors,  
16 and I don't know why we are not talking  
17 about the issues that are germane to him,  
18 Tom.

19 MR. MORRISSEY: The reason why these  
20 things are probative in deposition is  
21 because they go to the policies and  
22 procedures of assisting mobility-disabled  
23 detainees going up and down ramps.

24 MR. RADUNSKY: But he answered all of

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1 back the least question?

2 THE REPORTER: Yes. It was cut off  
3 though, Tom.

4 (WHEREUPON, the record  
5 was read as requested.)

6 BY MR. MORRISSEY:

7 Q Okay. Let me finish the question.  
8 When you were a movement officer taking  
9 detainees from the RTU to the Cermak infirmary,  
10 was there any -- for a person that had an alert  
11 for a cane, crutch or walker, to your  
12 recollection, was there any wheelchair that was  
13 available to you to use and offer to one of  
14 those detainees to go up or down either the  
15 ramp that leads into the RTU or the ramp  
16 that -- the ramp to access the Cermak building?

17 MR. RADUNSKY: Just objection to  
18 form. It's an incomplete hypothetical. It  
19 also, I think, lacks foundation. You can  
20 answer.

21 BY THE WITNESS:

22 A So every floor has a nursing station;  
23 and if a person who is -- if a person is using  
24 crutches or a cane disclosed to me that they

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1 can't go up the ramp and that they are going to  
2 need a wheelchair, you know, I would have no  
3 issues going to the nurses' station, letting  
4 them know that I would need to take a  
5 wheelchair because they have wheelchairs  
6 available. I would need to take a wheelchair  
7 to take one individual from Point A to  
8 Point B, and I'll bring it right back.

9 BY MR. MORRISSEY:

10 Q So it would have been feasible for  
11 you to provide a wheelchair for a person that  
12 had a cane, crutch or walker to go up or down a  
13 ramp; is that fair to say?

14 A Leaving RTU, yes.

15 Q Would it also have been feasible for  
16 you -- let me ask a preliminary question.

17 To take a prisoner or detainee from  
18 the RTU to the Cermak building, is there a ramp  
19 that one has to transverse to get to the Cermak  
20 building?

21 MR. RADUNSKY: Asked and answered.

22 You can answer again.

23 BY THE WITNESS:

24 A That ramp is the ramp that heads

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1 Q For purposes of this deposition, can  
2 we refer to that as the Cermak ramp?

3 A This one?

4 Q No. This one here in Exhibit 17 is  
5 the ramp or the incline that --

6 MR. RADUNSKY: Is that the east? I  
7 mean, is that the one or the --

8 MR. MORRISSEY: Yeah.

9 MR. RADUNSKY: I mean, if he's not  
10 familiar with it, Tom, I don't want to  
11 refer to it as one way or the other. If  
12 you want to show him a picture and ask him  
13 if he can recognize it, that's fine; but I  
14 don't want to put on the record that he's  
15 familiar with something that he's not, and  
16 he seems like he's not entirely.

17 MR. MORRISSEY: Give me one moment,  
18 Troy, and I will do that.

19 MR. RADUNSKY: Okay. Tom, do you  
20 have any idea how much longer you are going  
21 to be? I feel like I'm scared to ask that  
22 question.

23 MR. MORRISSEY: I would say less than  
24 an hour and a half.

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1 towards Cermak.

2 BY MR. MORRISSEY:

3 Q But is there another ramp in addition  
4 to what's in Exhibit Number 17 that a person  
5 leaving the RTU to enter the Cermak building  
6 has to go down to enter the Cermak building?

7 A From what I remember, that is --  
8 primarily from that route is -- that's the main  
9 ramp to and from Cermak.

10 Q To enter the Cermak building from the  
11 tunnel system, is there a ramp?

12 A Going from the top of -- you're  
13 talking about from that hallway right there  
14 going into Cermak, is there a ramp?

15 Q Yes.

16 A I would say yes, not as long as that  
17 one.

18 Q And to your knowledge, is there any  
19 signs at the top of the ramp -- how do you  
20 identify that ramp from the hallway or tunnel  
21 to the Cermak building?

22 A There's no indicators that it's a  
23 ramp. You could just see that there's an  
24 incline.

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1 MR. RADUNSKY: Really? Okay. That's  
2 good. I appreciate that.

3 BY THE WITNESS:

4 A From the picture you were saying,  
5 it's just kind of hard to tell. Like --

6 MR. RADUNSKY: Well, let's see what  
7 he can put up on the screen and if you  
8 recognize it.

9 Hold on one second. It looks  
10 like he is working with his IT department.

11 BY MR. MORRISSEY:

12 Q Exhibit 17A.

13 MR. RADUNSKY: Oh, 17A. Okay.

14 MR. MORRISSEY: And this is a  
15 picture, I think, we shared with you. The  
16 picture is 3885 [sic] --

17 MR. RADUNSKY: Okay.

18 MR. MORRISSEY: -- during our  
19 inspection of August of 2023.

20 BY MR. MORRISSEY:

21 Q Officer Marin, I'm showing you what  
22 is -- will be marked as Plaintiff's Exhibit 17A.  
23 Can you look at that? Do you see that photograph  
24 on your screen?

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**A Yes, I see it.**

**Q** And does that fairly and accurately represent the ramp or the incline descending from hallway or corridor or tunnel into the Cermak building?

**A It is a hallway that is downstairs in the basement, yes, going into Cermak. I would need to walk through it personally.**

**Q** To your knowledge and recollection, was there a notice or an order that was posted at the top or the bottom of this Cermak ramp to alert the detainees as far as what they must do?

**A No.**

**Q** To your knowledge, was there a notice or order that said: You are not to go up or down any ramps without an officer. You must wait for an officer to escort you. If you need assistance to go up or down the ramp, please request help. If you go up or down the ramp without an officer's escort, it will result in a disciplinary ticket for violating a direct order.

Based upon your memory and

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ahead.

BY MR. MORRISSEY:

**Q** You previously testified that if a person with a cane, walker or crutch when you were a movement officer asked for or requested assistance going up either the RTU ramp or the Cermak ramp, you would have gone in the RTU and grabbed a wheelchair from the doctor's office or the nurses' station; is that correct?

**A From the nurses' station, if needed, yes.**

**Q** And that never happened to the best of your recollection as a movement officer?

**A Personally me, no.**

**Q** Do you know if any other officer ever took a wheelchair from the RTU to assist a person with a cane, walker or crutch who was being moved from the RTU to Cermak to assist them?

**A There have been, at times, officers using a nurse's wheelchair to take a person from RTU to Cermak.**

**Q** Is that for a detainee who has an alert for a cane, crutch or walker?

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recollection, when you were a movement officer, did you ever see a sign with that information either at the top or the bottom of the Cermak ramp?

**A I don't recall.**

**Q** You mentioned that as a correctional officer and movement officer in the RTU, if a person requested a wheelchair because of a mobility disability to go to the Cermak building, you could access a wheelchair in the doctor's office or nurse's office in the RTU; is that fair to say?

MR. RADUNSKY: Did you understand that question, George? I think I do. If you don't -- you can answer.

Tom, I think you could ask it a little cleaner.

MR. MORRISSEY: All right.

MR. RADUNSKY: Yeah, clean that up.

MR. MORRISSEY: Thanks for the help, Troy.

MR. RADUNSKY: Yes, yes, yes. I know what you're saying, but I'm not the witness, so I don't want to tell him. Go

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**A That's for whoever needs assistance being escorted to Cermak.**

**Q** So is that -- generally, to your recollection, was that because there was a medical emergency in the RTU that required a detainee to be moved from the RTU to the Cermak building?

MR. RADUNSKY: Objection, foundation. You can answer, George, if you know. Speculation.

You can answer.

BY THE WITNESS:

**A This -- like I said before, previously, it's requested by the individual.**  
BY MR. MORRISSEY:

**Q** On February 18th, 2023, you were acting as a movement officer?

**A For which shift?**

**Q** For the 3:00 to -- for the 7:00 to 3:00 shift?

**A Between those hours, I was a movement officer.**

MR. MORRISSEY: Give me one moment while I pull up the --

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MR. RADUNSKY: Sure. You know, we haven't had a break. It's 11:50. Do you want to take 10 minutes?

MR. MORRISSEY: We can take 10 minutes, sure.

MR. RADUNSKY: George, are you cool with 10?

THE WITNESS: That's perfect. Thank you.

MR. RADUNSKY: Peggy, we'll be back in 10 minutes, okay?

THE REPORTER: Okay.

MR. MORRISSEY: All right. Thanks a lot, Troy.

MR. RADUNSKY: Okay.

(WHEREUPON, a short break was had.)

BY MR. MORRISSEY:

Q Officer Marin, as you sit here today, do you have any independent recollection of February 18th, 2023?

**A I do recall some parts of the incident.**

Q Do you recall, for instance,

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working -- being asked to work on the 7:00 to 3:00 shift that day?

**A Yes, I was working that particular shift that day.**

Q Now, you were provided, I assume, some videos of the incident of Mr. Westmoreland falling going up a ramp, a metal ramp, in Division 4, correct?

MR. RADUNSKY: No, I didn't show him any videos.

MR. MORRISSEY: All right. Well, let me ask him.

BY MR. MORRISSEY:

Q Did you see any pictures or films in preparation for today's deposition?

**A As far as videos from that day, no.**

Q Did you see any pictures from that day?

**A It was, I believe, just a still shot.**

MR. RADUNSKY: Tom, I actually showed him this exhibit that you're showing him.

MR. MORRISSEY: All right. Thank you.

MR. RADUNSKY: That's it. That's all

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he's seen.

MR. MORRISSEY: Okay.

MR. RADUNSKY: And I don't think that that's -- and I don't know. I could be wrong. That was taken by your expert. I was going to say I don't think that's from the day of the accident and that you blew that up. I don't know, but I think that's one of your expert's pictures, right?

BY MR. MORRISSEY:

Q Showing you Exhibit Number 47, is this one of the photographs you looked at in preparing for today's deposition?

**A No.**

Q Did you see a similar photograph depicting a metal ramp in Division 4 in preparing for today's deposition?

**A I was shown a photo of that area. As far as that exact photo, that particular photo, no.**

Q And you previously testified that you reviewed an e-mail that you provided to Ms. Sabrina Canchola Rivera in regards to the incident on February 18th, 2023, correct?

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**A Yes.**

Q Any other documents that you reviewed in preparing for today's date -- today's dep, in preparing for today's deposition?

**A No.**

Q Prior to looking at the e-mail you sent to Ms. Canchola on March 9th, 2023, did you have any recollection of working on February 18, 2023?

MR. RADUNSKY: Asked and answered.

He just answered that a couple of minutes ago.

You can answer again.

BY THE WITNESS:

**A Yes. I do remember various moments that day.**

BY MR. MORRISSEY:

Q Did reviewing Ms. -- the e-mail that you sent to Ms. Rivero refresh your memory in regards to specifically Mr. Westmoreland falling on a ramp inside Division 4?

**A Yes.**

Q Prior to looking at your e-mail to Ms. Rivero-Canchola on March 9th, 2023, did you

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1 have any personal recollection of his falling?

2 MR. RADUNSKY: He just answered that  
3 three times. Three times. You can answer  
4 it again, George, for the fourth time.

5 BY THE WITNESS:

6 A Like I said, the e-mail was like a  
7 basis of a refresher. But still it's just  
8 various moments for that date.

9 BY MR. MORRISSEY:

10 Q What do you recall in regards to  
11 working as -- were you working as a movement  
12 officer on the 7:00 to 3:00 shift on  
13 February 18th, 2023?

14 A So for that particular -- for  
15 February 18th, for that particular day and  
16 shift, I was a movement officer to escort  
17 individuals in custody, detainees, I'm not sure  
18 how you want to reference them, from RTU to  
19 Division 4 for voting.

20 Q Were you the only officer in the RTU  
21 that day that was moving detainees to Division 4  
22 to vote?

23 A No. I believe there was a group.  
24 There was a group of us.

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1 MR. MORRISSEY: Sure.

2 MR. RADUNSKY: Do you mean did he put  
3 his hands -- okay. Go ahead.

4 MR. MORRISSEY: Let me rephrase it.

5 MR. RADUNSKY: Yeah, please. Thanks.

6 BY MR. MORRISSEY:

7 Q Were you the escort officer for  
8 Mr. Westmoreland on February 18, 2023 from the  
9 RTU to go over to Division 4 to vote?

10 A I did escort the group that  
11 Mr. Westmoreland was in to and from.

12 Q How many detainees -- do you recall  
13 what time of the day that you escorted  
14 Mr. Westmoreland and other detainees to  
15 Division 4 to vote?

16 A It was afternoon.

17 Q Do you recall whether there was any  
18 other officers with you when you escorted  
19 Mr. Westmoreland and other detainees from the  
20 RTU to Division 4 that day?

21 A Like I said, there was a group of us  
22 that were constantly moving detainees from RTU  
23 to Division 4. There was a group of us.

24 Q Were you responsible for a certain

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1 Q And were you assigned specifically to  
2 move wheelchair detainees from the RTU to  
3 Division 4 to vote?

4 A No. It wasn't a specific task.

5 Q How many times during that day did  
6 you move detainees from the RTU to Division 4  
7 to vote?

8 A It was numerous times, multiple  
9 times.

10 Q Did you follow the same -- was there  
11 any supervisor that accompanied you when you  
12 picked up detainees from the RTU on February 18th,  
13 2023 and moved them to the voting area in  
14 Division 4?

15 A For certain high risk individuals, we  
16 did have supervisor presence with us.

17 Q Do you recall whether or not on  
18 September -- I'm sorry -- February 18th, 2023,  
19 whether or not you actually were the officer  
20 that moved Mr. Westmoreland to Division 4 to  
21 vote?

22 MR. RADUNSKY: Tom, when you say  
23 actually moved, can you just clarify what  
24 you're saying?

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1 number of detainees being moved from the RTU to  
2 Division 4?

3 A Not a specific amount.

4 Q How many detainees were with you that  
5 afternoon when you moved Mr. Westmoreland to  
6 Division 4?

7 A In that group alone, it was eight.

8 Q Mr. Westmoreland was in the  
9 wheelchair that day, correct?

10 A Yes.

11 Q Were there any other -- the other  
12 seven detainees that were being moved on  
13 February 18 to Division 4 to vote, were any of  
14 the other detainees in a wheelchair?

15 A Along with Mr. Westmoreland, there  
16 were three additional detainees.

17 Q We previously looked at the depiction  
18 of the ramp which was in Exhibit 17, do you  
19 recall, in your deposition?

20 A Yes.

21 Q In order to get to Division 4 from  
22 the RTU, was it -- was that the course of  
23 travel that you took? Did you have to bring  
24 the eight detainees up that ramp?

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**A That ramp, no.**

**Q** Tell me the path of travel from the RTU that afternoon with three wheelchair detainees in addition to Mr. Westmoreland and four other prisoners that you took going from the RTU to Division 4?

**MR. RADUNSKY:** I'm sorry. I was looking away. What are we talking about, the route from RTU to Division 4?

**MR. MORRISSEY:** That's correct.

**MR. RADUNSKY:** Okay. Sorry. George, go ahead. I didn't mean to interrupt.  
**BY THE WITNESS:**

**A So leaving -- gathering the group of detainees, we all took an elevator down to what is considered the basement. After the basement, we made a right, went through multiple doors to take that route to Division 4.**

**BY MR. MORRISSEY:**

**Q** Was there any incline when you got down -- let me ask a preliminary question. What floor was Mr. Westmoreland housed on in the RTU?

**A The third floor.**

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going to discharging and laundry, like that area. There's a, I think, a small slight ramp.

**BY MR. MORRISSEY:**

**Q** And from -- I'm showing you the Exhibit Number 17.

At the bottom of Exhibit Number 17 are doors leading to the RTU basement; is that fair to say?

**A There are multiple doors.**

**Q** And leading to the RTU building, the basement of the RTU?

**A In the elevator entrance, yes.**

**Q** So if you are at the bottom of this Exhibit 17 ramp, which I think Troy identifies as the east ramp, if you're coming out of the basement of the RTU, is the incline that you're talking about on the left as far as your course of travel on February 18th?

**A So the entrance that we're talking about is on the opposite end. So it would be further right, extremely further right.**

**Q** But there's an incline when you exited the RTU basement that day to get into the main hallway or tunnel of the jail,

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**Q** And you said you took an elevator to the lower level of the RTU; is that fair to say?

**A Yes.**

**Q** Are there two inclines or ramps that are at the basement of the RTU?

**A For that route itself?**

**Q** Yes.

**A We did go up a slight ramp.**

**Q** And that would -- if you exited the doors for the RTU, would that have been the incline on the left?

**MR. RADUNSKY:** Are we in the basement, Tom?

**MR. MORRISSEY:** We're in the basement of the RTU.

**MR. RADUNSKY:** Go ahead, George.

**BY THE WITNESS:**

**A Yeah, no, it's -- once you get off the elevators, you would make a right. So you would go -- you would just take a path on your right hand -- like, once you leave, make a right, take that path through multiple doors and then you would enter an area that is like**

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correct?

**A There is a path that has an incline, yes.**

**Q** And just for purposes of this deposition, when you exit the basement of the RTU, in order to get into the tunnel system, you either take one or two paths of travel up inclines, one of which is depicted in Exhibit 17 and the other is the incline that you took that day, correct, on February 18th?

**A Yes, leaving RTU there are paths that have slight ramps.**

**Q** There's two, correct?

**A There are -- well, yes, there are two ramps from either side, left or right.**

**Q** So you took -- you didn't take the ramp which is depicted in Exhibit 17. You took the other ramp with the eight detainees leaving the RTU to go to Division 4 to vote on February 18th, 2023, correct?

**A Yes.**

**Q** To your recollection, did you push Mr. Westmoreland up that other incline?

**A That particular day or just overall?**

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1 Q No, that day.  
2 A That day, no.  
3 Q Did you push any of the other three  
4 people up that incline?  
5 A No.  
6 Q Why not?  
7 A There wasn't a need to push the  
8 individuals that were in wheelchairs. They  
9 already had -- there were already detainees  
10 pushing them.  
11 Q Why were there detainees pushing the  
12 inmates in wheelchairs up that incline from the  
13 RTU?  
14 A I'm not sure. It wasn't like it  
15 was -- there was any specific plans or orders.  
16 It was we were given a voting list, and the  
17 individuals that wanted to vote next wanted to  
18 come. The people who were in wheelchairs  
19 already had people that were going to push  
20 them, so it would be a small group that were  
21 leaving at once rather than one person leaving  
22 one at a time. It was -- when I already got to  
23 the tier, the four individuals that were in  
24 wheelchairs already had the people that were

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1 BY MR. MORRISSEY:  
2 Q So based upon your knowledge as a  
3 correctional officer, you can't order an  
4 able-body detainee to push a person in a  
5 wheelchair up or down a ramp?  
6 A Another officer, I could ask for  
7 assistance and have them push the person in a  
8 wheelchair, yes. But another detainee, no, I  
9 can't order another detainee to push another  
10 person.  
11 Q Why not?  
12 A Why can't I have somebody -- like why  
13 can't I order a detainee to push another  
14 detainee?  
15 Q Correct.  
16 A It's not my job to, you know, enforce  
17 one detainee to, like, help out another  
18 individual. You know, because they could  
19 refuse at any time. Then, you know, it's not  
20 like I could enforce any discipline if they did  
21 refuse, no. There's -- I don't have that  
22 authority to force individuals to do something,  
23 that, you know, they're -- they don't have to  
24 do. Like I said, if it was another officer,

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1 going to push them.  
2 Q Do you recall Mr. Westmoreland asking  
3 you to be pushed by an inmate up that incline  
4 from the RTU?  
5 A No. It was to -- they already had --  
6 like I said before, they already had a group  
7 that was going to push them.  
8 Q Do you know if there's a requirement  
9 of inmates to push people in wheelchairs up and  
10 down inclines?  
11 A No. There's -- it's not like it's  
12 stated in policy that a detainee can't push  
13 another detainee.  
14 Q Is there any type of order that you  
15 can give an inmate to push a person up or down  
16 a ramp or an incline?  
17 A No, I --  
18 MR. RADUNSKY: Just object to form.  
19 That's okay. You can answer. Go ahead,  
20 George. Go ahead. You can answer.  
21 BY THE WITNESS:  
22 A No, I can't force a detainee to push  
23 someone else.  
24

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1 yes, I could tell the officer, hey, help me.  
2 We are going to, you know, push individuals  
3 that are in wheelchairs; but I can't tell a  
4 detainee to do it because they could ultimately  
5 refuse.  
6 Q After you went up that incline from  
7 the RTU on February 18, tell me the course of  
8 travel that you took to get to Division 4.  
9 A It's just a long path of walking  
10 through, you know, different long tunnels.  
11 Just different long halls to different --  
12 because you are going through different  
13 buildings in the basement. So you are going to  
14 pass, you know, discharges, Division 5. You  
15 know, you're underneath the basement, so it's  
16 just a long walk from one area to another.  
17 Q How did you enter Division 4 that day  
18 for the inmates to -- when you were moving the  
19 eight inmates, four who were in wheelchairs?  
20 How did you gain entrance to Division 4?  
21 A It was through an elevator.  
22 Q Showing you what has been marked as  
23 Exhibit Number 47, do you recognize that  
24 location?

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**A Yes.**

**Q** Is that a fair and accurate depiction of the stairway and ramp to enter into the -- it looks like the basement of Division 4?

**A That's the first floor of Division 4.**

**Q** Is it a fair and accurate photograph of the first floor of Division 4?

**A Yes.**

**Q** From the RTU building, was there another path of travel available to you to gain access to the first floor of Division 4 that you could have taken?

**A Coming from like the outside, yes.**

**Q** How would you have taken Mr. Westmoreland and the other three wheelchair-bound detainees to Division 4 from the RTU by the other path of travel?

**A So going from RTU from the third floor to now, this time, the first floor, making a right and then exiting through that area and using the garage doors, having them, you know, open the garage doors so we could then walk through the, you know, pathway to the gym in Division 4.**

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to the entrance to Division 4?

**A Detainees, all that are not in wheelchairs, maybe around eight. Individuals that -- you know, wheelchair assistance, along with someone else, regardless of its a detainee or not, a total of four.**

**Q** Was there another officer with you?

**A Escorting them, no, it was just myself.**

**Q** So you had to leave some inmates unescorted while some of the inmates went down the elevator to get -- to gain access to Division 4?

**A No. There was a Division 4 officer that gave us access to where you see the door entry right there, they were right there waiting for the two -- or the total of four to come up.**

**Q** But you had to go down an elevator from the tunnel to get to -- in the -- let me rephrase the question.

In Exhibit 47, there's a metal ramp, correct?

**A That ramp right there.**

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**Q** Did the ADA director, Ms. Canchola Rivero instruct you in regards to a path of travel that day for all the disabled prisoners housed in the RTU to vote?

**A No.**

**Q** Did any supervisor for the Sheriff's Office advise you in regards to a path of travel that would avoid going up or down this ramp in Division 4 to vote?

**A I don't recall a specific supervisor giving me those orders. I just know we took the tunnels because weather permitting.**

**Q** Now, you mentioned that from the tunnel area you had to go down an elevator to get to this area where -- located in Division 4, correct?

**A Yes.**

**Q** And you were able to put all eight detainees in the same elevator and descend from the tunnel down to this area so you could enter Division 4?

**A So for Division 4, no.**

**Q** How many detainees were you able to put in the elevator at any one time to get down

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**Q** Yes.

MR. RADUNSKY: Yeah, that's

Exhibit 47, George.

BY THE WITNESS:

**A Yes. That ramp right there is in Division 4.**

BY MR. MORRISSEY:

**Q** And there's no handrails on -- for most of that metal ramp, correct?

**A On the right -- no, on the right side it appears -- or, you know, looking at it on the left side, there isn't any handrails.**

**Q** And it's a steep metal ramp, correct? You would agree?

MR. RADUNSKY: Just object to the form -- or to the term "steep."

You can answer, George.

BY THE WITNESS:

**A Yeah, I think that's more of a subjective question because, to you, it might be steep. To me, it's just a slight angle.**

BY MR. MORRISSEY:

**Q** But to the left of the ramp, there are about six or seven steps to descend,

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correct?

**A Yes.**

Q And the ramp covers part of those seven steps, correct?

**A It does.**

Q And at the top of the ramp, there's a doorway?

**A Correct.**

Q And if you open that doorway, does that gain entrance to the area, the vestibule where the elevator is located?

**A Yes. It does allow you to go into another vestibule for elevator access.**

Q And you're saying that there is an officer that's stationed in that vestibule at the entrance to Division 4 where the wheelchair people were staged periodically before voting?

**A I wouldn't say specifically he's there, stationed there specifically. I just know that I did need an officer at that area because those doors are locked. You need keys to enter. So he needed to assist me gathering all of the detainees and still allowing us all through those doors.**

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correctional officer actually.

MR. RADUNSKY: You're not 300 pounds.

We're not stipulating to that. Go ahead.

BY MR. MORRISSEY:

Q Are you stipulating that you are in pretty good shape?

MR. RADUNSKY: Yeah, exactly. Right.

MR. MORRISSEY: That's what I thought.

MR. RADUNSKY: Yeah.

BY MR. MORRISSEY:

Q To your recollection, did the heavier-set wheelchair person have to get out of his wheelchair and walk down the ramp?

**A At that moment, I don't recall.**

Q Let me show you Exhibit 18. Showing you a video marked as Exhibit 18. I'm going to stop the Video Number 18 at that point.

Do you see yourself in that video at this point?

**A No.**

Q Does that refresh your memory that an overweight detainee got out of his or her -- his wheelchair and walked down the steps and --

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Q So to open that door at the top of Photograph Number 47, Exhibit Number 47, required an officer to open the door. It's a locked door?

**A Correct. It's a locked door.**

Q Okay. Now, did you gather all eight detainees in that vestibule after they descended down to the vestibule before proceeding down that ramp for those individuals to vote?

**A Yes, all of them I was -- I gathered all eight detainees before we continued on.**

Q To your knowledge, was one of the detainees rather overweight?

MR. RADUNSKY: Object to form.

BY MR. MORRISSEY:

Q Did one detainee to your recollection have to be brought down backwards because he appeared to be over 300 pounds?

**A There was an individual that was slightly larger than myself, yes, in a wheelchair.**

Q To your recollection -- you don't seem to be -- you seem to be a relatively fit

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**A Yes, it does appear so.**

Q Where were you at this point if you recall?

**A I would still be at the other entrance where the other remaining four detainees were at.**

Q So you would be inside the vestibule while the -- at the time that this overweight detainee got out of his chair and walked down the steps to avoid going down the ramp?

MR. RADUNSKY: Just object to the characterization of "overweight," but you can answer, George.

BY THE WITNESS:

**A Yeah, I wouldn't say I was still in the vestibule. I'm sure I was in that area where the stairs and the ramp were.**

BY MR. MORRISSEY:

Q Do you have any recollection of when you left the RTU with the four wheelchair-assisted detainees and the four able-body detainees, whether or not there was any difficulty in moving this overweight detainee up the incline from the RTU to get into the tunnel hallway?

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**A No.**

**Q You don't recall?**

**A No, I don't recall.**

**Q I'm going to continue the video. I'm going to stop it for a moment.**

**Are you the gentleman that's on the left-hand side where the arrow is pointed?**

**A Yes.**

**Q Do you know where Mr. Westmoreland -- is Mr. Westmoreland depicted in this picture?**

**A He is not the first individual in the wheelchair. No, he is not.**

**Q Prior to February 18, 2023, do you recall having any contact with Mr. Westmoreland?**

**A Just brief, you know, interactions if I was to work that tier.**

**Q Did you work -- prior to February 18, 2023, had you worked in a tier where Mr. Westmoreland was housed?**

**A Yes.**

**Q For how long a period?**

**A The duration of my shift, the eight hours; or if I was assigned there, it would be just for the eight hours unless I stayed for**

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**helped him out.**

**Q But he was never disrespectful to you as an officer, correct?**

**A To me personally, no.**

**Q Did you ever engage him when you were the tier officer or did he engage you in conversation?**

**A If needed, yes, we would talk to one another but I can't recall a specific situation where I had a full-blown conversation with him.**

**Q Did you know that he was a music instructor in the outside world?**

**A No. As far as anything personally regarding Mr. Westmoreland, no.**

**Q What were you doing as you were walking down the hallway here in the basement of division -- or on the first floor of Division 4?**

**A Walking, gathering the inmates so they could go vote, making sure they had all of their IDs and paperwork.**

**Q Were any of the officers that are depicted in division -- in Photograph Number 18, do you recognize any of those officers as being**

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**overtime.**

**Q Was that on more than one day that you were the tier officer for Mr. Westmoreland?**

**A Yes.**

**Q To your recollection, was -- in your interaction as the tier officer for Mr. Westmoreland, was he always respectful to you?**

**A Yes. We were both respectful to one another.**

**Q Did it appear that he was very compliant with any requests or orders that you gave him as his tier officer?**

**A He was, yes.**

**Q How would you describe Mr. Westmoreland's conduct when you were his tier officer?**

**A I would say normal. It wasn't any negative interactions he and I had.**

**Q Do you know from talking to other officers whether that was the same, that Mr. Westmoreland generally got along with the correctional staff?**

**A I'm not sure how other staff members**

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**from the RTU?**

**A No.**

**Q Do you know the names of any of the officers? For instance, the first gentleman in Exhibit Number 18 at 2:31 in the video, do you recognize the gentleman who is -- the white gentleman with the white mask?**

**A I don't know his name, but I have seen him in RTU.**

**Q So you would say that he was an RTU officer on February 18th?**

**A I would say possibly. It depends. I would need to know his name to see if he was an RTU officer or not.**

**Q Do you know the name of the woman that's standing to his right at 2 minutes and 31 seconds in Exhibit 18?**

**A No.**

**Q How about the gentleman directly to his left, the African American gentleman that looks like he's holding a bottle?**

**A No.**

**Q To your knowledge, was he an RTU officer also?**

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**A To my knowledge, the only RTU officer who I did see around was the first officer that you pointed out.**

**Q We'll continue the video from Exhibit 18.**

Do you know if Mr. Westmoreland was the last gentleman that we saw in the video in Exhibit 18 at approximately 2 minutes and 51 seconds?

**A No, I don't recall if that was Mr. Westmoreland or not.**

**Q We're going to turn to now Exhibit Number 19.**

MR. RADUNSKY: Guys, can we take a quick break just because I have to go to the bathroom?

MR. MORRISSEY: Sure.

MR. RADUNSKY: Can we come back at 12:45 just because I've got to run down the hall; is that okay?

MR. MORRISSEY: Sure. Go ahead.

MR. RADUNSKY: All right. George, I'm running to the bathroom. Turn off the video and all of that stuff.

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down faster. So I just -- you know, I did let them know that it is obviously one at a time, and they should take their time going down.

**Q Could one of the wheelchair detainees in your opinion gone down the ramp without any assistance?**

**A That's up to that person individually.**

**Q Was there any warning sign that you saw on that ramp for wheelchair people to be cautious going up or down the ramp?**

**A Not that I recall.**

**Q Was there any signage up saying that if you're in a wheelchair, you should request assistance from an officer to go up or down that ramp?**

**A Not that I recall.**

**Q As an officer, were you required or ordered to provide assistance to a wheelchair person going up or down that ramp to enter Division 4?**

MR. RADUNSKY: Asked and answered multiple times.

You can answer, George. Go ahead.

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(WHEREUPON, a short break was had.)

BY MR. MORRISSEY:

**Q To your knowledge that day, were any of the -- well, let me ask a preliminary question.**

We just looked at Exhibit 18 for three wheelchair-assisted detainees going down to that ramp to enter Division 4's first floor, correct?

**A At that moment, yes. There were four individuals that were in wheelchairs coming down that ramp.**

**Q Did you give any instructions to the detainees pushing them down the ramp as far as how they were to navigate that steep ramp?**

**A It wasn't, like, just an actual order. It was -- you know, I did let them know that they had to, you know, take their time going down the ramp. I didn't want them to go too fast down the ramp, you know, just for simple just, you know, safety issues. It's -- it's just at the ramp going down, you know, when you're going downhill, obviously you go**

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BY THE WITNESS:

**A Like I have said previously, if the detainee wanted assistance or he wanted me to push them up and down certain ramps, I would.**

BY MR. MORRISSEY:

**Q Do you know if any officer has ever been disciplined specifically in regards to this metal ramp in the first floor of Division 4 not providing assistance for a detainee in a wheelchair going up or down the ramp?**

**A Not to my knowledge.**

**Q To your knowledge, has any correctional officer during the time you were a correctional officer at the jail ever been reprimanded or disciplined by a sergeant or a supervisor for not assisting a wheelchair person going up or down a ramp at the Cook County Jail?**

**A Not that I recall.**

**Q To your knowledge, was there any requirement of a correctional officer to document if a detainee was not assisted going up or down a ramp at the Cook County Jail?**

**A The only documentation we would do**

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are just overall refusals. We wouldn't document if a detainee refused our assistance.

Q Did you offer any assistance to Mr. Westmoreland going up or down this ramp to enter the first floor of Division 4?

A There was no need for me to offer any assistance because he already had somebody pushing him.

Q Had you ever documented as a movement officer when a wheelchair -- let me ask a preliminary question.

To your knowledge, when you moved detainees in wheelchairs as a movement officer up and down ramps at the Cook County Jail, to your knowledge, did any wheelchair person ever refuse your assistance to go up or down a ramp?

A I've had detainees just overall refuse me just to push them or assist them. It was never documented.

Q Were you required -- you say -- let me go back a step.

Specifically, do you have any recollection of any wheelchair-assisted person refusing your assistance going up or down a

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have been times where if I was escorting a certain detainee, they wouldn't want any assistance from me; and if they got to a certain point where -- a couple of occasions where they did just get tired more or less, you know, pushing themselves, I would go ahead and push them.

Q In the hallways or tunnels or corridors when a detainee refused your assistance to push them, would you document in the Sheriff's log that they didn't want assistance?

A I wouldn't document --

MR. RADUNSKY: Answer the question.

In that hypothetical, Tom, are you assuming that nobody -- like he asked an inmate if he wants to be pushed, an inmate says no and then somebody else may end up doing it, not George? Are you saying that or are you saying no other officer asked him -- asked that detainee to be pushed, and it's just George that was asked?

MR. MORRISSEY: Let me rephrase.

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ramp?

A Going up or down a ramp, no.

Q You mentioned that there were times when a wheelchair-assisted detainee refused your assistance in a wheelchair, correct?

A Yes.

Q Can you tell me about those occasions?

A I can't remember the specific, like, detainee's name, but there have been times where I had been movement officer and I would get their ID and just let them know, hey, you're going to the dispensary or you're going to get an x-ray done at Cermak, and I'll start pushing them and they'll say, hey, no, I'm good or if -- same scenario but I'm like when I grab their ID and I'll say, hey, do you need me to push you, they're like, no, I'm good.

There's been times where they're good pushing themselves throughout, you know, the compound or the division; but if they, for some reason, needed help going up certain ramps and said, hey, you know, can you push me, I would be more than happy to help them. But there

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MR. RADUNSKY: Yeah, there's a lot -- yeah, because I just don't understand.

BY MR. MORRISSEY:

Q On those few occasions when you offered to push a wheelchair person in a hallway or tunnel or corridor at the Cook County Jail and that person said no or declined, did you document that in any log?

A No, I did not document it. I would only document if they refused to go to certain locations.

Q To your knowledge, where would you -- in that scenario where you were pushing a detainee in a hallway, corridor or tunnel and you offered assistance to the wheelchair person to push them, where would you document it based upon your knowledge? What procedure would there be for you to document it?

A To my knowledge, there isn't a log of approvals or refusals pushing individuals in wheelchairs.

Q Who would you contact in a situation where a detainee refused your offer to push them in a hallway tunnel at the Cook County

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Jail?

**A** You said who would I notify if they refused?

**Q** Right.

**A** No one.

**Q** Was there ever a time when you were a movement officer in the RTU where you offered to push a detainee up a ramp and they refused?

**A** I'm sorry. I'm trying to -- what was the question?

**Q** My question, when you were a movement officer as a correctional officer moving a person up or down a ramp at the Cook County Jail, was there ever a time you offered to push the wheelchair person up the ramp when they refused?

MR. RADUNSKY: I think he just answered that, but you can answer again, George.

BY THE WITNESS:

**A** There would be times where I would ask if they needed to be pushed or I would take it upon myself to just push them, you know, to help them, and they would tell me personally,

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MR. RADUNSKY: It's been asked and answered multiple times. You can answer it again, George, for the last time.

BY THE WITNESS:

**A** Again, no. There was no documentation. There was no log of approvals or refusals pushing somebody in a wheelchair. Like I said, I would just go ahead and just give the Cermak officer a heads up that I did help him or I didn't help him just so he's aware when he brings him back he knows, you know, how to deal with the inmate or the detainee because some of them get extremely offended if you do try to assist them.

BY MR. MORRISSEY:

**Q** Turning to Exhibit Number 19 now, I'm going to play a video which is depicted in number -- Exhibit 19.

(Video played.)

BY MR. MORRISSEY:

**Q** I'm going to stop it at .37 seconds. Have you seen yourself in that video so far?

**A** I was with the group going towards the stairs.

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like if we're going to Cermak up the ramp, no, I don't need any help or, yes, I do need help. Like, they would tell me that they do need help or that they don't at that time. And then if, you know, we're just going to Cermak, I would just let it be known to the Cermak officer, like, you know, hey, you know, he came -- just because sometimes the Cermak officer will bring them on his own or he would radio if he was too busy. I would just tell the Cermak officer like, hey, he refused or he didn't want my help, you know, coming back. Maybe he'll take your help. You know, just so he's aware that, you know, at that time that he didn't need assistance. But like I said, it will be at random times where an inmate will, you know refuse my help from -- initially pushing them or going up the ramp. They will say, no, they're more than capable.

**Q** On those occasions when you offered a detainee to -- in a wheelchair to go up or down a ramp and the detainee was wheelchair assisted, did you ever document the refusal of your offer to push them up or down a ramp?

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**Q** Let's go -- can I go back so you can point yourself out?

**A** Yes.

**Q** Thanks. I'm going to start it over again. I'm going to try to go backwards and play it and tell me -- I'm going to play it. Tell me when you appear in the video. Let me run it back.

(Video played.)

BY THE WITNESS:

**A** Yeah, the officer waving the detainees to come down, that does appear to be me.

BY MR. MORRISSEY:

**Q** So are you the -- I have the cursor on the first officer. Is that you?

**A** Yes, that does appear to be me.

**Q** So at 12 seconds in the video depicted in Exhibit 19, you're the officer depicted -- the first officer walking toward the ramp, correct?

**A** I believe so, yes.

**Q** And you're directly in front of a prisoner with a cane, correct?

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**A He does have a cane.**

**Q I'm going to continue the video.**

(Video played.)

BY MR. MORRISSEY:

**Q Now, I'm going to stop it at 29 seconds. Do you see in the video that you're going up the steps on the left side?**

**A It appears that I am by the steps.**

**Q Do you know if you were ascending the steps or were you at the bottom of the steps?**

**A I would be at the bottom.**

**Q Do you have any recollection where you were at the time of Mr. Westmoreland's wheelchair tipping over? Were you at the bottom of the steps or at the top?**

**A My recollection would be at the bottom.**

**Q We are going to continue the video.**

(Video played.)

BY MR. MORRISSEY:

**Q Now, I'm stopping it at 48 seconds. Do you see on the left-hand side there were a series of inmates going up the steps? Do you know if you were up the steps or at the bottom**

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**the front -- like possibly lifting the front or angling his -- angling the seat so the front wheels are kind of elevated slightly.**

**Q Do you know the name of that prisoner that's pushing him? That's Mr. Westmoreland in the wheelchair, correct?**

**A Possibly. I didn't see him. I just see the inmate who was pushing him, not the actual -- you can't tell the person who is in the wheelchair.**

**Q We'll continue the -- now he's breaking into a run at 53 seconds, correct?**

**A It looked like it, yes, from the time you had -- from the time you pressed play.**

**Q And on the left-hand side, are you still at the base of the stairs?**

**A Like I said, I'm either at the base of the stairs or on the steps because a majority of all the other inmates or detainees are at the top floor. I just have to make sure I keep some visual on them.**

**Q Do you recall giving any instruction to this inmate in regards to running with the wheelchair-assisted detainee toward the ramp?**

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of the steps at 48 seconds into this Exhibit 19?

**A I believe I'm either on the steps or at the bottom of the steps because I'm, at that point, just letting them -- letting the group know that what -- there's like a, I guess -- I don't know how you would call it, maybe like a small lip that they would need to get over the lip before they come up the slight ramp.**

**Q So at the bottom of this makeshift metal ramp, there was some type of obstruction would you call it or a lip or a curb?**

**A To my knowledge, it's -- like I said, I'm not the one who designed the ramp. It looks like it wasn't a smooth transition from the ramp to the floor.**

**Q So the --**

**A Because the ramp is still angled so there has to be some kind of, you know, slight angle where it's not a smooth flat surface.**

**Q Do you see the -- at 48 seconds, there's an inmate that looks like he's beginning to break into a jog or a run. Do you see that gentleman?**

**A I -- he appears to possibly like lift**

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**A I recall letting the group know that they have to lift the front, which is why he, it appears right now to, you know, get in preparation to go up the ramp; but I do recall just letting him know that the front wheels need to be up before they do push up somebody up the ramp.**

**Q So is it your lay opinion that the wheelchair person on his own couldn't go up that metal makeshift ramp?**

**A Him personally, not sure. Like I said, everyone is different. So, you know, if somebody is strong enough to wheel themselves up a ramp, I'm sure they will but it just all depends on the individual.**

**Q Did you have training, sufficient training from the Cook County Sheriff in regards to your responsibilities under the ADA at this point in regards to a disabled person going up or down this ramp?**

**A Up and down a ramp --**

**Q Well, let me rephrase the question. Had the Sheriff's Office given you any training on whether or not this ramp on the first floor**

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of Division 4 was accessible for a wheelchair detainee under the ADA?

MR. RADUNSKY: Just object to form.

Hold on. I think it calls for an expert opinion. I don't think he's qualified to give such an opinion given also what he's told you about his background and his expertise which he has none in this field.

Subject to that, George, you can answer.

BY THE WITNESS:

**A Yeah, regarding this specific ramp, no, there wasn't any specific training how to handle, you know, this specific ramp that's in the video.**

BY MR. MORRISSEY:

Q In Video Number 17, we'll go back to 17, the video which depicts the ramp that leads from Cermak into the RTU, had any supervisor or ADA coordinator for the Sheriff's Office ever told you whether this ramp was accessible for a wheelchair-assisted detainee?

**A That specific ramp itself, no. It was just from my recollection just a broad**

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offered to be pushed up or down the ramp by an officer?

**A No. We were never ordered or instructed that -- personally me, I would ask if I'm escorting somebody if they want help going up the ramp.**

Q But nobody from the Sheriff's Office ever told you that for the Cermak ramp, you have to offer assistance to go up that ramp?

MR. RADUNSKY: Asked and answered.

You can answer it again. Go ahead.

BY THE WITNESS:

**A No. It's just overall just me, you know, caring and being a nice person trying to help somebody. I was never ordered by a supervisor, hey, this is what you need to do going up a ramp. It's just if somebody needed assistance, I would ask, hey, do you need help and they would tell me yes or no.**

BY MR. MORRISSEY:

Q Going back to Exhibit Number 19, we're almost done here.

**A Okay.**

Q And I appreciate your time.

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**overview on how to handle ramps. It didn't specify, you know, the type of ramp. It's just ramp overall in general.**

Q Based upon your recollection and training, did any Sheriff's employee or supervisor ever tell you that the Cermak ramp, the ramp from the tunnel that goes into the Cermak building, whether or not that ramp was accessible or not for disabled people?

**A No.**

Q And in regards to the RTU ramp which is depicted in Exhibit Number 17, has anybody in the Sheriff's Office ever alerted you or, to your knowledge, the other correctional staff that this is a ramp where you need -- where you must push a detainee up or down that ramp in a wheelchair?

**A No.**

Q In regards to the Cermak ramp, has any person employed by the Sheriff's Office ever informed you or any other officer to your knowledge that the Cermak ramp -- for the Cermak ramp for a person in a wheelchair going up or down the ramp, that person must be

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**A No, no. Thank you.**

**(Video played.)**

BY MR. MORRISSEY:

Q I'm going to stop the video now at -- the video of Exhibit 19 at 54 seconds. Where were you positioned when -- at this point in time, 54 seconds into the video of Exhibit 19?

**A Like I said, I was possibly -- I was near the stairs either in the middle of the stairs viewing the rest of the detainees right there by the ramp, you know, to the left by the stairs.**

Q Were you focused on the detainees at the top of the steps or were you looking at the person in the wheelchair at the time -- at this time at 54 seconds?

**A Both. I knew that I had detainees at the top of the stairs, and I knew I had a detainee coming up the ramp, which was -- my focus was more on them, like I said, because I was given instructions that they had to lift the front, you know, for the little lip and just, you know, make sure that the wheels are up so they can come up the ramp smoothly.**

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Q What did you observe at approximately -- what did you observe as the last detainee in the wheelchair reached the metal makeshift ramp, what happened?

A It looked like the person who was pushing him for some odd reason was building up momentum heading towards the ramp, and then as I clearly said earlier, like, if you don't lift that front wheel, you're going to get stuck and it appears that that's what happened. The front wheel caught the ramp and the wheelchair didn't go up anymore.

Q What happened to the detainee who we now know is Mr. Westmoreland when the wheelchair struck the bottom of the curb of the metal ramp?

A At that time, he slightly fell out of the chair from the push.

Q Did Mr. Westmoreland fall forward onto the ramp?

A From my memory, it's around the ramp area. I'm not sure if it was directly on the ramp or to the left.

Q Do you remember where Mr. Westmoreland

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the point of impact when Mr. Westmoreland fell out of the wheelchair.

Q Did you hear anything when Mr. Westmoreland fell out of the wheelchair or was thrown from the wheelchair?

A Aside from just the wheelchair hitting the ramp, like if there was any words stated, I -- not to my knowledge, not to my recollection.

Q I'm going to continue the video now at 54 seconds.

(Video played.)

BY MR. MORRISSEY:

Q I'm going to stop it at 1 minute and 4 seconds. Did you see perhaps you're making movement perhaps down to where Mr. Westmoreland was thrown from the wheelchair?

A At that point, it was just to see if he was okay and if he needed help up, but it happened so quickly where another detainee helped Mr. Westmoreland to the wheelchair.

Q In this picture at 1 minute 4 seconds, it appears like -- and it's not a very clear picture I understand, but it appears that

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landed on the ramp?

A Again, like I said, it's towards the base of the ramp.

Q Do you know what part of his body hit the ramp?

A To my recollection, I would say hands because that's the first thing you do when you attempt to fall, you brace yourself.

Q Do you have -- I understand it's now, you know, four or five months later. Do you have a personal recollection of what part of Mr. Westmoreland's body struck the ramp?

A No, no. I don't know which body part fell first or hit the ramp or the floor first.

Q Do you recall whether or not Mr. Westmoreland said anything, yelled out before he hit the ramp?

A Not to my knowledge.

Q Do you know if the gentleman, detainee who was pushing him, yelled out anything when Mr. Westmoreland was thrown from the wheelchair?

A No. Like I said, it happened so quickly where he was building up speed up until

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you're directly to the left of the wheelchair and the inmate that had been pushing him; is that fair to say?

A I was near the stairs, yes.

Q All right. We'll continue it.

(Video played.)

BY MR. MORRISSEY:

Q At 1 minute and 10 seconds, it looks like now that there is an inmate that's down there also at the base of the stairs along with you?

A The one who helped Mr. Westmoreland to the wheelchair, yes.

Q And was the inmate helping to get him back into the wheelchair from the ground?

A I think he was just helping the foot placement of where his legs are.

Q We'll continue it.

(Video played.)

BY MR. MORRISSEY:

Q Did you take any -- we're at 1 minute and 44 seconds. Did you take any statement from Mr. Westmoreland at that time?

A I asked if he was okay.

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Q Did you do any report that day?

A Generating a report, no, of the incident, no.

Q Are there reports when there is an unusual incident where a person might fall or injure themselves?

A There's --

MR. RADUNSKY: I will just object to the foundation. I mean, if it's a serious -- yeah, go ahead, serious accident. Go ahead.  
BY THE WITNESS:

A Yeah, if a person falls out of a wheelchair or falls out of a bunk, like the bed, like there isn't like an incident report that's generated from our -- on our behalf that says, you know, inmate John Doe fell out of wheelchair. Like that's -- there isn't any incident report generated for just falling out of a chair unless it's a severe thing where he has to go to Cermak or if 911 has to be called.

Q Is there a form called an Incident Report?

A Yeah, there is an incident report depending on the magnitude of the situation.

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supervisor to fill out, correct?

A I believe there is a narrative based on the findings and their investigation. They do input a small narrative on the situation.

Q And then the incident report, to your knowledge, then goes to the watch commander or the superintendent?

A The supervisor will review all incident reports.

Q So, in this case, you didn't generate an incident report, correct?

A I did not.

Q Do you know if anybody else did an incident report?

A To the best of my knowledge, no.

Q We'll continue the video on Exhibit 19.  
(Video played.)

BY MR. MORRISSEY:

Q That concludes the video from Exhibit 19. Do you have any recollection after Mr. Westmoreland was brought up finally that makeshift ramp in Division 4 what happened after that?

A So throughout the escort walk, I

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Like I said, if he has to go to Cermak for -- due to an emergency or if 911 has to be called, then an incident report needs to be generated.

Q And would that be generated by the tier officer or the movement officer if the person fell?

A It would be generated by the tier officer or the Cermak officer.

Q Does the incident report then get reviewed by a supervisor or sergeant or perhaps the superintendent or the watch commander?

A It would have to be approved or viewed by a supervisor or a sergeant, yes.

Q And on the incident report, there's a spot for the officer to fill out what happened, correct?

A A narrative, correct.

Q A narrative. And there's a -- in the narrative, above the narrative, it says the location of the incident and the time and who was present, correct?

A Yes.

Q And then there is a narrative in the incident report for the watch commander or the

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asked Mr. Westmoreland a couple of times if he was okay, if he, you know, needed to go to Cermak or anything. He, you know, said he was fine.

When we arrived to the tier, I did let the tier officer know that Mr. Westmoreland fell out of the wheelchair, and I let the sergeant know also.

Q Do you know what time Mr. Westmoreland fell?

MR. RADUNSKY: Based on your video, Tom?

MR. MORRISSEY: No, no.

BY MR. MORRISSEY:

Q Based upon your recollection.

MR. RADUNSKY: Oh, well, okay. I don't think it's going to be different than the video.

But you can answer, George.

BY THE WITNESS:

A Like I said earlier, like around noon, like the afternoon time. The video clearly shows like 12:50 but from what I said earlier, like around -- yeah, it was afternoon.

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Q Do you know whether or not the tier officer or the sergeant made any documentation about the -- Mr. Westmoreland falling out of his wheelchair?

A Not to my knowledge.

Q Did you do anything else that day in relationship to Mr. Westmoreland falling?

A Aside from notifying the tier officer and the sergeant, no.

Q Did you notify any medical personnel?

A No.

Q On February 18th, 2023, how did you happen to be escorting these inmates over to Division 4 to vote?

A Like what do you mean, walking?

Q Well, it says in an e-mail that you sent to this Ms. Canchola that you volunteered?

A Yes, for the overtime.

Q Oh, you were -- but you were already working that day 7:00 to 3:00, correct?

A No. 3:00 to 11:00 is my primary shift. 7:00 to 3:00 would have been overtime.

Q And did they have you come in specifically overtime on election day,

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Q Who was the shift commander?

A That particular day, I don't remember.

Q All five to eight officers that were on this voting detail were brought in by the shift commander that day?

A No. The shift commander was given a list of who is going to help with the voting, and then that's how he just -- you know, he knew who was assigned for voting movement or movement for RTU and for regular day-to-day stuff.

Q Does the -- to your knowledge, on the 7:00 to 3:00 shift on February 18th, 2023, would there be a record perhaps on the roster who the shift commander was on that shift?

A I'm sure there is. I'm not sure how the shift commanders handle, you know, who was in charge, who is not in charge. I don't remember if somebody -- if there was a specific supervisor for the movement of voting. Every shift and every -- you know, shift has a different shift commander.

Q And the shift commander is the head

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February 18th, 2023 to move detainees from the RTU to Division 4 to vote?

A There was a group assigned for movement -- voting movement only.

Q And you were asked to do that, come in especially on that day to move inmates over to Division 4 to vote; is that fair to say?

A Yes, I was part of the team that was helping them move.

Q Did -- how many other officers were enlisted to move people from the RTU over to Division 4 to vote on election day?

A That specific day, I can't recall. It ranged from five to eight officers possibly.

Q Did you have to show up in the RTU for roll call on February 18th before 7:00 a.m.?

A No.

Q Where did you report on February 18th, 2023 for duty on the 7:00 to 3:00 shift?

A It was still at RTU. It was slightly before voting started, and we just reported to the shift commander and he gave us, you know, the assignments as far as who all has to vote and the team as far as who is helping to move.

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of the RTU on that day, correct? Each shift has a shift commander?

A There are multiple sergeants and lieutenants.

Q But there is one person that acts as the overall shift commander on a watch, correct, in the RTU?

A Correct.

Q And when you came in on February 18, 2023, what time did you report that day?

A I think it was -- I would say it's before 9:00 a.m.

Q So you weren't working the 7:00 to 3:00. You were working a different time period?

A I was working the 7:00 to 3:00 shift but not those specific hours. I was only assigned to work the voting hours for that shift.

Q Did you continue on after the 7:00 to 3:00 shift concluded on your regular 3:00 to 11:00 shift?

A I did finish out my regular 3:00 to 11:00 shift, yes.

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Q So in addition to working a -- did you get credit for a full shift then on voting day if you came in --

A Got credit for -- are you saying for my regular shift or for the overtime shift?

Q For the overtime shift.

A The only credit I was given were the amount of hours I worked. So it was from -- you know, if I clocked in before 9:00, it was from that time to 3:00 p.m. and then my regular shift started at 3:00 to 11:00.

Q What room did you report to on February 18th, 2023?

A The lieutenant's office.

Q And who was the lieutenant that day?

A Again, I don't remember.

Q Where is the lieutenant's office located in the RTU?

A On the second floor near security.

Q And were all the officers that were working the special assignment, did they all report in that room that morning?

A There were some that reported to the lieutenant's area. Most of us, if we got there

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people in wheelchairs that were going to vote.

Q Did the shift commander tell you the route of passage for the disabled people to go over to 4?

A No. Like I said earlier, there were no specific orders. It was just weather permitting to access the outside area or just utilize the tunnels.

Q Were you aware prior to February 18, 2023 that the first floor of division -- to access the first floor of Division 4 that there was a steep makeshift ramp?

MR. RADUNSKY: Just object to the form, "steep makeshift ramp."

Subject to that, you can answer.

BY THE WITNESS:

A So prior to taking the group of Mr. Westmoreland, I did take that route to escort detainees.

BY MR. MORRISSEY:

Q On more than one occasion?

A Multiple occasions. It was throughout that day.

Q Was that route of travel -- was

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early enough was sitting around security. So we would just tell those who were coming in, hey, we got to report to this floor first and get started.

Q Was there any instruction given to you and the other men and women that were working on this specific task, the voting task on February 18, 2023 in regards to how they were going to move prisoners from the RTU to Division 4 to vote?

MR. RADUNSKY: Asked and answered.

You can answer it again.

BY THE WITNESS:

A So it was a handful of us that were movement for voting. We were just told who -- what floors needed to vote and then just grab the detainees that were eligible to vote and then we took them to Division 4.

BY MR. MORRISSEY:

Q The -- some of those detainees were in wheelchairs, correct, on the third floor that you were working to transport to Division 4, correct?

A Throughout the building, there were

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Division 4 used for video court?

A I'm not a Division 4 officer, so I wouldn't know their main function, but I would say they did utilize the gym for court.

Q So as a movement officer in the RTU on occasions, you would move wheelchair-assisted detainees from the RTU over to Division 4 to go to court, to go to video court; is that fair to say?

A Myself, me, no.

Q But you were aware that on an ongoing basis, disabled people were brought over to Division 4 to attend court, correct?

A I was made aware that previously Division 4, the gym area, was used for court.

MR. RADUNSKY: How much more you got, Tom?

MR. MORRISSEY: Not much more.

MR. RADUNSKY: That's what you said an hour ago.

BY MR. MORRISSEY:

Q That morning on February 18th, 2023, did the shift commander give you any instructions or warnings about this ramp that

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1 was in Division 4 when you were transporting  
2 detainees in wheelchairs?

3 **A No.**

4 MR. MORRISSEY: I have nothing  
5 further. I appreciate your time.

6 MR. RADUNSKY: No problem.

7 THE WITNESS: Thank you.

8 MR. RADUNSKY: All right. George,  
9 just a couple. Let me go back to my notes.

10 C R O S S - E X A M I N A T I O N

11 BY MR. RADUNSKY:

12 Q Under your training, do you know if  
13 an inmate can refuse to be pushed by an officer  
14 if they have someone else that they want to  
15 push them?

16 **A My training, yeah, if someone who was**  
17 **in a wheelchair wanted another detainee to push**  
18 **them, that would be perfectly fine. We**  
19 **wouldn't refuse that on our behalf.**

20 Q Let me ask you this. In your  
21 experience in the time that you were there in  
22 the RTU, do inmates in wheelchairs typically  
23 prefer to be pushed by other inmates instead of  
24 staff?

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1 there, there were instances where you  
2 approached inmates and asked them if they  
3 wanted to be pushed in their wheelchair if you  
4 thought that they may need help?

5 **A Yes. I actually, not too long before**  
6 **I left, I ended up pushing Mr. Westmoreland up**  
7 **the ramp that we seen to the bridge.**

8 Q After this incident?

9 **A Yeah. Like well after the incident.**

10 Q Okay. And when was that? I mean,  
11 when you say "well after the incident," do you  
12 know how long afterwards?

13 **A It was slightly before I came to the**  
14 **Sheriff's Police, I was taking him to the**  
15 **bridge. So we used that route and, you know, I**  
16 **asked if he wanted me to push him. He said,**  
17 **yeah, that's fine and I went ahead and pushed**  
18 **him up the ramp, but he said he was perfectly**  
19 **fine taking over after.**

20 Q In the days after the accident when  
21 you saw him in his wheelchair, were other  
22 inmates pushing him and pushing him places like  
23 they were on the date of the incident?

24 **A At times, they would just, like,**

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1 **A From my experience at RTU, yes, a**  
2 **majority of inmates much rather have another**  
3 **inmate push them than any staff member.**

4 Q Have you ever seen Mr. Westmoreland  
5 pushed in his wheelchair by other inmates, any  
6 other inmates before February 18, 2023?

7 **A Throughout that time, just, you know,**  
8 **just regular passing if I worked the tier or if**  
9 **I was taking him to religious service and there**  
10 **was a group of them going to religious service,**  
11 **then at times, yes.**

12 Q When you say that staff, you know,  
13 would normally push, when you see staff do it  
14 and they are pushing inmates around in their  
15 wheelchairs, is that typically nurses and  
16 medical staff or is it officers? Is one more  
17 predominant than another? I mean, what's your  
18 observation?

19 **A Primarily it's nursing staff; but if**  
20 **an officer needed to -- like we've seen**  
21 **individuals before, like if it was a bigger guy**  
22 **the nurse couldn't push, then an officer would**  
23 **have no issue with that.**

24 Q I'm assuming during your time over

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1 **casually, walking and talking throughout the**  
2 **dayroom --**

3 Q Okay.

4 **A -- stuff like that.**

5 Q Mr. Westmoreland has -- was at the  
6 Cook County Jail before, I think, you even  
7 started working there and was there a couple of  
8 years before this incident, and I don't know  
9 how long you had seen him on the RTU or how  
10 frequently; but given how long he had been at  
11 the jail, even before you got there, did you  
12 believe that he understood, given your  
13 observations that he could ask an officer to  
14 push him if that's really what he wanted?

15 MR. MORRISSEY: I'm going to --  
16 BY THE WITNESS:

17 **A Yes.**

18 MR. MORRISSEY: That's fine.  
19 BY MR. RADUNSKY:

20 Q In other words, my point is he had  
21 been in the RTU for quite a long period of time  
22 even before you got there. You know, he would  
23 have been familiar with the process. In other  
24 words, if he wanted somebody to transport him

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1 from staff or an officer, he knew that he could  
2 just ask, correct?

3 **A Yes.**

4 Q Had he ever told you that he didn't  
5 understand at any point that he could ask an  
6 officer or staff to push him in a wheelchair?

7 **A No, I never had that situation.**

8 Q Did Mr. Westmoreland that day  
9 February 18, 2023, did he ever ask you to push  
10 him in his wheelchair?

11 **A No.**

12 Q And you never refused, correct,  
13 because he didn't ask you?

14 **A Correct, because he already had  
15 somebody pushing him.**

16 Q So in that scenario, because he  
17 already had somebody pushing him, that wouldn't  
18 be termed a refusal, correct?

19 **A No, not at all.**

20 Q Has any inmate in a wheelchair or any  
21 other mobility device ever told you that they  
22 asked an officer for assistance and that  
23 officer refused?

24 **A No.**

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1 Mr. Watkins if he was physically fit and  
2 physically capable of pushing Mr. Westmoreland  
3 up the ramp? I know you're not a doctor, just  
4 your own personal observations.

5 **A My observation is that he was capable  
6 of doing so.**

7 Q Did Mr. Watkins or Mr. Westmoreland  
8 ever express any concern that Mr. Watkins  
9 didn't have the physical abilities to transport  
10 Mr. Westmoreland?

11 **A No.**

12 Q When -- right before this accident  
13 when they were approaching the ramp, did you  
14 believe that there was going to be an accident  
15 or did you feel that they were going to make it  
16 safely up the ramp?

17 **A I did believe that because, like I  
18 said, there was a brief time where the first  
19 group did struggle a little bit going up; and  
20 throughout the time, I was letting them know  
21 that they got to lift the front.**

22 **So from what the video shows, it kind  
23 of does show that they were, I guess, prepping  
24 themselves on how to approach the ramp. I**

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1 Q The policy that Tom was talking about  
2 earlier regarding movement up and down ramps,  
3 does it prevent inmates from pushing other  
4 inmates in wheelchairs?

5 **A No, not at all.**

6 Q Now, I think you said this about the  
7 signage in the hallways that -- well, let me  
8 ask it this way.

9 Do you recall or don't you recall or  
10 I don't remember the answer if there was  
11 signage in the hallways that specifically  
12 discussed transport of inmates and who could do  
13 it or not do it or how it should be done?

14 **A I don't recall.**

15 Q If there were signs there, you don't  
16 remember exactly what they said?

17 MR. MORRISSEY: I'm going to object.

18 He said he doesn't recall.

19 MR. RADUNSKY: Okay. That's fair  
20 enough.

21 BY MR. RADUNSKY:

22 Q Did you believe that Mr. Watkins, and  
23 that's the inmate that was pushing  
24 Mr. Westmoreland, based on your observation of

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1 **thought that it would have been a smooth**  
2 **transition; but for whatever reason, no, it**  
3 **didn't occur that way. I thought they, you**  
4 **know, were going to go up this smoothly. I**  
5 **didn't -- I had no doubt that there was going**  
6 **to be an issue like that.**

7 Q When we looked at the video and I  
8 think it was Exhibit Number 19 -- Tom doesn't  
9 have to play it again -- but did you see that  
10 another group or two that were in a wheelchair  
11 had gone up the ramp after voting before  
12 Mr. Westmoreland and Mr. Watkins?

13 **A Yes.**

14 Q And that group or groups of people  
15 that were in the wheelchairs, did they have any  
16 issues getting up or down the ramp?

17 **A No. You could see that there's a**  
18 **slight pause where they were adjusting the**  
19 **wheels to go up.**

20 Q And, you know, let me ask you this:  
21 Did any of the groups that you took up and down  
22 the ramp that morning, did any of them have any  
23 accidents or falls on the ramp other than  
24 Mr. Westmoreland?

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**A No.**

**Q** Did anybody else that was going up the ramp -- I guess Tom used the word run. Did anybody else run towards the ramp in the same manner at the same speed that we saw Mr. Watkins doing with Mr. Westmoreland?

**A No. That was the -- those are the only two individuals that displayed that action.**

**Q** And did you say that you would have mentioned the lip at the bottom of the ramp to go down slowly when they were using the ramp before this accident?

**A Yes, I did notify and let them know that they had to take their time going down.**

**Q** And you also mentioned lifting up the wheels when they were going back up the ramp, that it's something that they should consider?

**A Yes.**

**Q** All right. If you had any idea that this was going to happen that there was going to be an accident, would you just have done it yourself and pushed him?

**A Yeah. You know, looking back at it**

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in Division 4, and you mentioned that there was another route that could be taken but unless weather affected it.

Was weather a factor, I mean, on the morning of this incident such that you couldn't take that other route?

**A Yes. It was, you know, slightly cold and, you know, you can't provide, you know, thick winter jackets for all and it was raining also. So I think it was just more feasible to use the basement tunnels.**

**Q** Let me ask you this: If you were able to come from the outside if the weather was good, would you have gotten to Division 4 faster?

**A A lot faster.**

**Q** Okay. So going the other route that you guys took, that would take more time?

**A Because there's so many doors you have to go through, yes, it took more time. Going through the outside, you probably only had two, three doors you had to pass.**

**Q** That metal ramp that we have been looking at in Division 4, do you have any idea

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**now, if -- with the circumstance, I would have had no issue pushing all of them up the ramp if I didn't think they were capable of doing so.**

**Q** I know we talked about the group of eight, and four of those people of those eight were in a wheelchair. How many other groups did you bring to voting that day?

**A I want to say around a dozen just random groups --**

**Q** Okay.

**A -- that day alone.**

**Q** Did you bring groups in after Westmoreland's accident?

**A Yes. It was multiple groups before and well after.**

**Q** And, again, and I know I just asked you this, there was no incidences or accidents or similar events that occurred to Mr. Westmoreland?

**A No.**

**Q** Okay. Oh, I wanted to ask you this, and I don't know if this got brought out. I know that you said when you were talking to Tom about the two routes that you could have taken

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if that ramp is supposed to comply with ADA code or requirements?

**A No. No, I don't.**

**(WHEREUPON, Patrick Morrissey entered the deposition proceedings.)**

BY MR. RADUNSKY:

**Q** Just one more question about his injuries. Did you see any visible signs of injury on Mr. Westmoreland that morning like blood or bruising or anything else?

**A Immediately at that time and even during the escort, no.**

**MR. RADUNSKY:** Okay. I think that's all I've got.

So, Tom, did you have any follow-up? I don't want to just say we're reserving before...

**THE REPORTER:** Tom, you're on mute.

**MR. RADUNSKY:** Is Tom on mute? I don't even see his little mute thing there.

**MR. MORRISSEY:** We'll be done in about -- very shortly.

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R E D I R E C T E X A M I N A T I O N

BY MR. MORRISSEY:

Q Officer, on February 18th, 2023, did your shift commander tell you that it was your responsibility in transporting wheelchair-assisted detainees, that when it came to this ramp in Division 4 that it was your responsibility to push Mr. Westmoreland up and down that ramp?

MR. RADUNSKY: It's asked and answered.

You can answer it again. Go ahead, George.

BY THE WITNESS:

**A No.**

BY MR. MORRISSEY:

Q In your entire period as a correctional officer at the jail, did any supervisor ever tell you as an officer when you move a wheelchair person up or down a ramp, that it's your responsibility as a correctional officer to push the person either up or down the ramp?

MR. RADUNSKY: Same objection. Asked and answered. You can answer it again.

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reserve signature. And, George, you are free to go. Thanks for the time.

THE WITNESS: Perfect. Thank you. You guys have a good one.

MR. RADUNSKY: No problem. No problem.

MR. MORRISSEY: Thanks a lot.

THE REPORTER: Tom, do you need this written?

MR. MORRISSEY: Probably. Let me give you a call.

MR. RADUNSKY: Peggy, if he orders it, I want a copy, mini, index, like what I usually get.

THE REPORTER: Okay. Thank you.

FURTHER DEPONENT SAITH NOT....

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BY THE WITNESS:

**A No.**

BY MR. MORRISSEY:

Q Final question. To your knowledge --

MR. RADUNSKY: \$64,000 question.

MR. MORRISSEY: I hope it is.

MR. RADUNSKY: Go ahead.

MR. MORRISSEY: Let it be 64 -- I won't go there, Troy.

BY MR. MORRISSEY:

Q To your knowledge --

MR. RADUNSKY: I heard it.

BY MR. MORRISSEY:

Q To your knowledge, is there any written communication or oral communication given to disabled prisoners at the jail who use a wheelchair that they must ask a correctional officer to be pushed up or down a ramp at the jail?

**A To my knowledge, no.**

MR. MORRISSEY: I have nothing more.

Thank you for your time, Officer, and good luck in your new career.

MR. RADUNSKY: Great. We will

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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

EUGENE WESTMORELAND, )  
individually and for a )  
class, )

Plaintiff, )

vs. )

No. 1:23-cv-01851

THOMAS DART, Sheriff of )  
Cook County, and COOK )  
COUNTY, ILLINOIS, )

Defendants. )

I, GEORGE J. MARIN, JR., being first duly sworn, on oath, say that I am the deponent in the aforesaid deposition, that I have read the foregoing transcript of my deposition, consisting of pages 1-159 inclusive, taken at the aforesaid time and place and that the foregoing is a true and correct transcript of my testimony so given.

\_\_\_\_\_  
GEORGE J. MARIN, JR.

SUBSCRIBED AND SWORN TO  
me before this \_\_\_\_\_ day  
of \_\_\_\_\_, A.D. 2024.

\_\_\_\_\_, Notary Public

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STATE OF ILLINOIS )  
 ) ss:  
COUNTY OF C O O K )

I, Peggy A. Anderson, a Certified  
Shorthand Reporter in the State of Illinois do  
hereby certify:

That previous to the commencement of  
the examination of the witness, the witness was  
duly sworn to testify the whole truth  
concerning the matters herein;

That the foregoing deposition  
transcript was reported stenographically by me,  
was thereafter reduced to typewriting under my  
personal direction, and constitutes a true  
record of the testimony given and the  
proceedings had;

That the said deposition was taken  
before me at the time and place specified;

That the said deposition was  
adjourned as stated herein;

That I am not a relative or employee  
or attorney or counsel, nor a relative or  
employee of such attorney or counsel for any of  
the parties hereto, nor interested directly or  
indirectly in the outcome of this action.

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IN WITNESS WHEREOF, I do hereunto set  
my hand this 17th day of January, 2024.

  
Peggy A. Anderson  
Certified Shorthand Reporter  
License No. 084-003813



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